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HAROLD H. WHEELER
Assistant Majority Caucus Chair
BECKY SKILLMAN
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Assistant Majority Whip
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Minority Whip
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Assistant Minority Whip
BILLIE BREAU
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CAROLYN J. TINKLE
Assistant Majority Secretary
MARY C. MENDEL
Deputy Secretary of Operations
DIANE M. MARSHALL
Deputy Minority Secretary
EMMA KEYS
Majority Attorney
KATHLEEN CORD CASH
Minority Attorney
KEVIN C. MURRAY

SENATE MEMBERS
(R) Republicans, (31); (D) Democrats, (19)

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(D) **Alexa, William E.** (District 5), 2207 Shannon Drive, Valparaiso
(R) **Alting, Ron** (District 22), 3600 Cedar Lane, Lafayette
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(D) **Blade, Mark**, (District 38), 56 Heritage Drive, Terre Haute
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(R) **Johnson, Steven R.** (District 21) 2515 Greentree Lane, Kokomo
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(R) **Landske, Sue** (District 6) 7325 West 143rd Avenue, Cedar Lake
(R) **Lawson, Connie** (District 24) 3891 West County Road 100 South, Danville
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(R) **Long, David C.** (District 16) 2919 Covington Hollow Trail, Fort Wayne
(R) **Lubbers, Teresa S.** (District 30) 5425 North New Jersey, Indianapolis
(D) **Lutz, Larry E.** (District 49) 2736 West Virginia Street, Evansville
(R) **Meeks, Charles B.** (District 14) 10520 Garman Road, Leo
(R) **Meeks, Robert L.** (District 13) 5840 East 25 North, LaGrange
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(R) **Miller, Patricia L.** (District 32) 1041 South Muesing Road, Indianapolis
(R) **Mills, Morris H.** (District 35) 7148 West Thompson Road, Indianapolis
(D) **Mrvan, Frank** (District 1) 6732 Maryland Avenue, Hammond
(R) **Nugent, Johnny** (District 43) 920 Pribble Circle, Lawrenceburg
(R) **Paul, Allen E.** (District 27) P.O. Box 332, Richmond
(R) **Riegsecker, Marvin D.** (District 12) 1814 Kentfield Way, Goshen
(D) **Rogers, Earline S.** (District 3) 3636 West 15th Avenue, Gary
(R) **Server, Greg D.** (District 50) 5601 Spring Lake Drive, Evansville
(D) **Simpson, Vi** (District 40) 4965 West Woodland Drive, Bloomington
(D) **Sipes, Connie W.** (District 46) 1825 Ekin Avenue, New Albany
(R) **Skillman, Becky** (District 44) 220 Eastlake Drive, Bedford
(D) **Smith, Samuel, Jr.** (District 2) P.O. Box 3218, East Chicago
(D) **Washington, Cleo** (District 10) 520 West Wayne, South Bend
(R) **Waterman, John M.** (District 39) 7452 North County 375 East, Shelburn
(R) **Weatherwax, Thomas K.** (District 18) 3012 Woodland Drive, Logansport
(R) **Wheeler, Harold H.** "Potch" (District 17) 6370 North State Road 5, Larwill
(D) **Wolf, Katie L.** (District 7), Box 766, Monticello
(R) **Wyss, Thomas J.** (District 15) 12133 Harvest Bay Drive, Fort Wayne
(D) **Young, Richard D., Jr.** (District 47) 10347 East Daugherty Lane, Milltown
(R) **Zakas, Joseph C.** (District 11) 16372 Wild Cherry Drive, Granger

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AND SUBCOMMITTEES**

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R.M.M., Ranking Minority Member)

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Senator Robert Jackman, R.M.
Senator Ron Alting
Senator Connie Lawson
Senator John Waterman
Senator Thomas Weatherwax

Senator Katie Wolf, R.M.M.
Senator Lindel Hume
Senator James Lewis
Senator Richard Young

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Senator Sue Landske, R.M.
Senator Joseph Harrison
Senator James Merritt
Senator Becky Skillman

Senator Earline Rogers, R.M.M.
Senator Katie Wolf
Senator Richard Young

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Senator David Long, R.M.
Senator Beverly Gard
Senator James Merritt
Senator Greg Server
Senator Becky Skillman
Senator Thomas Weatherwax

Senator Timothy Lanane, R.M.M.
Senator Glenn Howard
Senator James Lewis
Senator Frank Mrvan

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Senator Luke Kenley, R.M.
Senator Richard Bray
Senator Murray Clark
Senator David Long
Senator John Waterman
Senator Thomas Wyss

Senator William Alexa, R.M.M.
Senator Glenn Howard
Senator Frank Mrvan
Senator Cleo Washington

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Senator Kent Adams, R.M.
Senator Ron Alting
Senator David Ford
Senator Steve Johnson
Senator Teresa Lubbers
Senator Patricia Miller

Senator Billie Breaux, R.M.M.
Senator Anita Bowser
Senator Earline Rogers
Senator Connie Sipes

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Senator Becky Skillman, R.M.
Senator Richard Bray
Senator Connie Lawson
Senator Robert Meeks
Senator Patricia Miller
Senator Thomas Wyss

Senator Connie Sipes, R.M.M.
Senator William Alexa
Senator Anita Bowser
Senator Billie Breaux

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Senator Kent Adams
Senator Lawrence Borst
Senator David Ford
Senator Johnny Nugent
Senator Marvin Riegsecker

Senator Glenn Howard, R.M.M.
Senator Allie Craycraft
Senator Lindel Hume
Senator Vi Simpson

ETHICS

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Senator Lawrence Borst, R.M.
Senator Sue Landske

Senator Lindel Hume, R.M.M.
Senator Allie Craycraft
Senator Cleo Washington

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Senator Morris Mills, R.M.

Senator Vi Simpson, R.M.M.

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Senator Sue Landske
Senator Robert Meeks

Senator Vi Simpson
Senator William Alexa

Taxation Subcommittee

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Senator Patricia Miller

Senator Mark Blade
Senator Lindel Hume

Local Government Financing Subcommittee

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Senator Thomas Wyss

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Senator Lindel Hume

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Senator Rose Antich, R.M.M.

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Senator Connie Lawson

Senator Rose Antich
Senator Katie Wolf

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Senator Allen Paul

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Senator Allie Craycraft, R.M.M.

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Senator Joseph Zakas

Senator James Lewis
Senator Frank Mrvan

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Senator Timothy Lanane
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Senator Murray Clark
Senator Teresa Lubbers

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Probate Code & Trusts Subcommittee

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Senator David Long

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Senator Anita Bowser

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Senator Samuel Smith
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Senator Samuel Smith, R.M.M.

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Public Safety Subcommittee

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Senator Charles Meeks

Senator Mark Blade
Senator Samuel Smith

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Senator Lawrence Borst
Senator Robert Jackman
Senator Luke Kenley
Senator Sue Landske

Senator Larry E. Lutz, R.M.M.
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Senator Allie Craycraft
Senator Connie Sipes

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Senator Joseph Harrison, R.M.
Senator Potch Wheeler
Senator Allen Paul
Senator Joseph Zakas

Senator Richard Young, R.M.M.
Senator Lindel Hume
Senator Earline Rogers

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	1st Regular Session	2nd Regular Session
Filing for introduction	Noon, January 21	Noon, January 7
3rd Reading-Senate Bills	March 8	February 7
Receipt of House Bills by Senate	March 8	February 7
3rd Reading-House Bills	April 14	March 2
Conference Committee Report	April 14	March 2
Without Rules Approval		
Last Date for Sine Die	April 29	March 14

STANDING RULES AND ORDERS OF THE SENATE

I. GENERAL PROVISIONS

1. The Senate shall be convened every legislative day at 1:30 P.M. unless the Senate by motion adopted by a majority vote shall have agreed to convene at some other hour.

2. Twenty-five Senators with the President, or Twenty-six Senators in the absence of the President with the President Pro Tempore presiding or having chosen a Senator to preside if the President Pro Tempore is absent shall be authorized to do the following:

Call a Senator.

Compel the attendance of absent Senators.

Make an order for censure.

Adjourn.

3. Every Senator shall be present at all meetings of the Senate unless excused by the President Pro Tempore.

4. (a) Every Senator shall vote on each question put except as provided by this Rule.

(b) A Senator may be excused from voting on a question because of a direct personal or pecuniary interest in the event of such question. Whether a Senator has a direct personal or pecuniary interest so as to be excused from voting on a question shall be decided without debate.

(c) When presiding over the Senate, the President Pro Tempore or other Senator designated to preside shall not be required to vote unless necessary to break a tie or to provide a constitutional majority.

(d) This Rule shall not be construed as denying or abridging the right of a Senator to vote on any question.

5. (a) The regular order of transacting business shall be as follows:

(1) The President takes the chair.

(2) Senate called to order.

(3) Prayer.

(4) Pledge of Allegiance.

(5) Roll call.

(6) Introduction of bills.

(7) Reports of standing committees.

(8) Introduction of petitions, memorials and remonstrances.

(9) Reports of select committees.

(10) Senate Resolutions.

(11) Concurrent Resolutions.

(12) Joint Resolutions.

(13) Messages from the House.

(14) Senate bills on second reading.

(15) Senate bills on third reading.

(16) House bills on first reading.

(17) House bills on second reading.

(18) House bills on third reading.

(19) Senate bills from conference committees.

(20) House bills from conference committees.

(b) The regular order of business may be suspended upon a majority vote of the Senators present and voting.

(c) If the regular order of business is suspended by reason of adjournment or otherwise, upon reassembling or upon completion of the business which caused the suspension, the business of the Senate shall be resumed at the place where the regular order of business was suspended.

(d) The Journal of the previous days shall not be read to the Senate except upon a motion signed by five (5) Senators, concurred in by a constitutional majority of the Senate.

6. Every bill, resolution or other matter before the Senate on the Calendar or otherwise capable of being acted upon by the Senate shall at the adjournment sine die of any session of the General Assembly be deemed to have failed.

7. The standing rules and orders of the Senate shall be an item of business in the first regular session of a term of the General Assembly. The Committee on Rules and Legislative Procedure shall develop the standing rules and orders to be presented to the Senate for adoption. The standing rules and orders, upon adoption, shall govern the Senate for the term of the General Assembly, unless amended or suspended.

8. Mason's Manual and Jefferson's Manual shall apply to all points not covered by these Rules and, whenever there is a conflict between said Manuals, Mason's Manual shall govern. The Principal Secretary shall at all times maintain a copy of said Manuals in the Office of the Principal Secretary, the Office of the Majority Attorney, and the Office of the Minority Attorney.

II. DECORUM, DEBATE AND MOTIONS

A. Decorum and Debate

9. The President Pro Tempore shall preside over the Senate when the President is absent or steps down from the Chair. Whenever presiding over the Senate, the President Pro Tempore shall at any time have the right to designate a member of the Senate to preside in place of the President Pro Tempore. In the absence of the President and the President Pro Tempore, the Majority Leader shall preside over the Senate.

10. The President or Chair shall preserve order and decorum; may speak to points of order in preference to Senators rising for that purpose; and shall decide questions of order.

11. (a) Decisions of the President or Chair are subject to an appeal to the Senate by any two Senators.

(b) No Senator shall speak more than once on an appeal, unless the Senate grants a Senator leave to speak twice.

(c) The President or Chair who made the challenged ruling shall not preside over the Senate on the appeal, including putting the question and announcing the vote.

(d) The question on any appeal from a decision of the President or Chair shall be stated as follows:

"Shall the ruling of the Chair be sustained?"

(e) Upon any appeal from a decision of the President or Chair, a record vote shall be taken upon the question.

12. (a) When any Senator desires to speak or deliver any matter to the Senate, the Senator shall rise and respectfully address the President or Chair.

(b) When two or more Senators rise at once, the President or Chair shall name the Senator who is to speak first.

(c) Being recognized by the President or Chair, a Senator may address the Senate, but during debate shall confine comments to the question under debate, and shall not make any motion at the close of the Senator's own speech or prefacing remarks.

(d) No Senator shall speak more than once to the same question without leave of the Senate, unless the Senator moved, proposed, or introduced the matter pending and is speaking in reply to a question or after every Senator has had an opportunity to speak on the matter pending.

(e) A Senator shall not occupy more than one-half hour to speak on any question in the Senate or in committee; provided, however, that the Senate at any time, by motion adopted by a majority of the Senators present and voting, may further limit the time for speaking.

(f) A Senator may have one minute to explain the Senator's vote on a bill or joint resolution if the Senator did not speak during debate on such bill or joint resolution.

(g) No Senator shall impugn the motives of any other Senator.

(h) A Senator may request the President or Chair to place the Senate in recess to allow a person who is not a member of the Senate to address the Senate only if the request has been approved by the Committee on Rules and Legislative Procedure.

13. (a) Any Senator shall have the right to speak on a point of personal privilege, when recognized by the President or Chair.

(b) No Senator shall request a point of personal privilege during discussion of a bill.

(c) No Senator shall use the point of personal privilege to impugn the motives of any other Senator.

(d) No Senator shall have the right to propound any question to a Senator exercising a point of personal privilege.

14. (a) If any Senator in speaking, or otherwise, transgresses the rules of the Senate, the President or Chair shall, or any Senator may, call the Senator to order.

(b) The Senator called to order shall immediately be seated, unless another Senator moves that the Senator called to order be allowed to explain the challenged remarks and the motion is adopted by a majority of the Senators present and voting.

(c) The Senator called to order may appeal if seconded by another Senator.

(d) The Senate shall vote on the appeal of the call to order without debate.

(e) If the decision on the appeal is in favor of the Senator called to order, the Senator shall be at liberty to proceed, but not otherwise; and if the decision on the appeal is against the Senator called to order, the Senator shall be liable as to censure or such punishment as the Senate may deem proper.

(f) If a Senator is called to order for words spoken in debate, the Senator calling a Senator to order shall indicate the words to which there is an objection, but the Senator called to order shall not be censured for those words if further debate or other business has intervened.

B. Priority of Motions and Debate

15. (a) Each motion shall be in writing, signed by the maker, and, if demand is made, seconded, except the following motions:

Motion to adjourn.

Motion to fix the time which to adjourn.

Motion to lay on the table.

Motion for the previous question.

Motion to postpone indefinitely.

Motion to commit.

Motion to call the absentees.

Motion to excuse the absentees.

(b) Each written motion shall be handed to the Reading Clerk and read aloud before debate.

(c) After being read and stated by the President or Chair, a motion shall be in the possession of the Senate, but by consent of the Senate may be withdrawn at any time before being decided upon or amended.

16. (a) When a question is under debate, no motion shall be in order except the following motions which take precedence in the order listed:

1st. To adjourn.

2nd. To lay on the table.

3rd. For the previous question.

4th. To postpone to a certain time or day.

5th. To commit.

6th. To amend.

7th. To postpone indefinitely.

(b) A motion to adjourn shall always be in order, except when the previous question or a motion to take up or receive the report of the Committee on Elections concerning right of membership is pending. The motion to adjourn shall be decided without debate.

(c) The question pending on adjournment shall be resumed on the reassembling of the Senate, unless otherwise ordered by the Senate.

17. (a) When moved, the previous question shall be put in this form: "Shall the question be now put?"

(b) Until it is decided, the previous question shall preclude all debate and the introduction of all further amendments.

(c) The previous question having been ordered, its effect shall be to put an end to all debate and bring the Senate to a direct vote on the question then pending.

(d) When operating under the previous question, there shall be no debate or explanation of votes; provided, however, that the author or sponsor of the question then pending will have two (2) minutes to speak prior to the vote.

18. All questions relating to the priority of business and motions to table or take from the table shall be decided without debate.

III. OFFICERS AND EMPLOYEES

A. Selection and Appointment

19. The first item of business at the first regular session of a term of the General Assembly shall be the election of the following:

The President Pro Tempore

The Principal Secretary

20. Each officer of the Senate shall take an oath for the true and faithful discharge of the duties of the office and shall be deemed to continue in office for the term of the General Assembly unless the officer resigns, is removed, suspended, or unable to serve, or until a successor is chosen.

21. The President Pro Tempore shall appoint the following:

(a) Assistant President Pro Tempore.

(b) Majority Floor Leader.

(c) Assistant Majority Floor Leader.

(d) Majority Whip.

(e) Assistant Majority Whip.

(f) Assistant Majority Caucus Chairman.

(g) Assistant Majority Secretary of the Senate.

(h) Deputy Minority Secretary of the Senate.

(i) Postmaster of the Senate.

(j) Principal Doorkeeper of the Senate.

(k) Majority Attorney of the Senate.

(l) Acting Principal Secretary of the Senate, if the Principal Secretary is removed, suspended, or unable to serve or resigns.

22. The officers and employees of the Senate shall be responsible to and under the direction of the President Pro Tempore or President Pro Tempore-elect.

B. Duties of Officers and Employees

23. (a) The Principal Secretary shall keep the Journal of the Senate in due form and by signature shall attest the same.

(b) The Principal Secretary shall each day the Senate convenes prepare a calendar, listing by number and author or sponsor, each bill and joint resolution eligible for call on second reading and each bill and joint resolution eligible for call on third reading on that day, together with any special order of business.

(c) At the end of the Principal Secretary's term of office, unless re-elected to that office, the Principal Secretary shall transmit to the Legislative

Services Agency all official receipt books and official records from each session during the Principal Secretary's term of office.

24. The Legislative Services Agency shall preserve all official records and books received from the Principal Secretary for future use.

25. (a) The Doorkeeper shall attend the Senate at all times during a session unless directed otherwise by the President Pro Tempore and execute all commands duly given.

(b) When requested to call a Senator, the Doorkeeper shall do so by name.

(c) The Doorkeeper shall whenever the Senate is convened exclude from the Senate Chamber all persons except the President, Senators, officers and employees of the Senate, the Parliamentarian, members of the House, representatives of the press assigned to places on the floor of the Senate, employees of the Legislative Services Agency, persons holding official passes authorized by the President Pro Tempore, former Senators, and former members of the House; provided, however, that any person, including former Senators and former members of the House, who is registered as a lobbyist shall not have access to the Senate Chamber.

C. Duties of Officers and Employees Pertaining to Bills

26. (a) The Principal Secretary, or designee, shall number consecutively the bills, the joint resolutions, and the concurrent resolutions received.

(b) Upon receiving a bill or joint resolution from a Senator, the Principal Secretary, or designee, shall prepare a receipt showing the number of the bill or joint resolution and the date when received.

(c) The Principal Secretary, or designee, shall prepare and distribute to each member of the Senate, a list of all bills and joint resolutions to be introduced each day the Senate is convened, commencing with the first day of each regular or special session.

(d) The Principal Secretary shall keep all bills and joint resolutions on file in regular order.

27. When a bill has passed, it shall be certified by the Principal Secretary, noting at the foot thereof the day of its passage.

28. When an enrolled act or bill is transferred from one party to another within or without the Senate Chambers, a receipt shall be generated to record that transaction.

IV. STANDING COMMITTEES AND SUBCOMMITTEES

A. Committees of the Senate and Committee Appointments

29. (a) The following shall comprise the standing Senate committees and subcommittees thereto:
- (1) Agriculture and Small Business.
Ten (10) Members.
 - (2) Appointments and Claims.
Eight (8) Members.
 - (3) Commerce and Consumer Affairs.
Eleven (11) Members.
 - (4) Corrections, Criminal, and Civil Procedures.
Eleven (11) Members.
 - (5) Education.
Eleven (11) Members.
 - (6) Elections.
Eleven (11) Members.
 - (7) Environmental Affairs.
Eleven (11) Members.
 - (8) Ethics.
Six (6) Members.
 - (9) Finance.
Fifteen (15) Members.
 - a. Budget Subcommittee.
 - b. Taxation Subcommittee.
 - c. Local Government Financing Subcommittee.
 - (10) Governmental and Regulatory Affairs.
Eleven (11) Members.
 - a. Local Government Subcommittee.
 - b. Regulatory Affairs Subcommittee.
 - (11) Health and Provider Services.
Eleven (11) Members.
 - a. Public Health Subcommittee.
 - b. Provider Services Subcommittee.
 - (12) Insurance and Financial Institutions.
Ten (10) Members.
 - a. Insurance Subcommittee.
 - b. Financial Institutions Subcommittee.
 - (13) Judiciary.
Eleven (11) Members.
 - a. Courts and Juvenile Justice Subcommittee.
 - b. Probate Code and Trusts Subcommittee.
 - (14) Natural Resources.
Ten (10) Members.
 - (15) Pensions and Labor.
Eleven (11) Members.
 - (16) Planning and Economic Development.
Eleven (11) Members.
 - (17) Public Policy.
Eleven (11) Members.
 - a. Public Affairs Subcommittee.
 - b. Public Safety Subcommittee.
 - (18) Transportation and Interstate Cooperation.
Ten (10) Members.
 - (19) Rules and Legislative Procedure.
Eight (8) Members.

(b) Additional subcommittees may be created with the approval of the Committee on Rules and Legislative Procedure.

30. (a) The President Pro Tempore or President Pro Tempore-elect shall appoint the chairperson and members of each of the standing committees and subcommittees thereto. The appointments to standing committees and subcommittees shall be reported to the Senate by the President Pro Tempore and recorded in the Journal.

(b) The chairpersons and members of the standing committees and subcommittees thereof shall continue for the term of the General Assembly unless removed by the President Pro Tempore or unable to serve.

(c) All vacancies on any committee or subcommittee shall be filled by appointment by the President Pro Tempore or President Pro Tempore-elect of the Senate.

31. The standing committees and subcommittees thereof shall be the only committees or subcommittees authorized to represent the Senate during the interim periods of the General Assembly.

B. Specific Committees: Rights, Duties and Procedures

32. The Committee on Elections shall have leave to report at any time on the right of a Senator to a seat by presenting its report to the Senate or by filing its report with the Principal Secretary. A report concerning right of membership shall be a question of the highest privilege and may be called up at any time by the Chairperson of the Committee on Elections or by any member of the Senate.

33. (a) A report of the Committee on Rules and Legislative Procedure shall be in order at any time when no question is before the Senate.

(b) All proposed amendments to or motions to suspend the Rules shall be referred to the Committee on Rules and Legislative Procedure without debate. The Committee shall have the right to report at any time on any proposed change in the Rules or the order of business. A report on a proposed change in the Rules or order of business shall be immediately disposed of by a majority vote of the Senators present and voting.

(c) The Rules and Legislative Procedure Committee may correct spelling, grammatical, numbering, lettering, or technical errors in a bill or resolution when it is in the possession of the Senate. The Committee shall report to the Senate the number of each bill corrected and the correction which was made under its direction. The report of a correction shall be maintained under the supervision of the Principal Secretary and be available for inspection by a legislator upon request and entered in the Journal of the Senate.

V. VOTING PROCEDURES

34. (a) The President or Chair may state a question while sitting but shall rise to put the question as follows:

"As many as are in favor (as the question may be) vote yea"; (and, except in case of a record vote, after the affirmative vote is expressed) "As many as are opposed vote nay."

(b) In any case in which a voice vote is taken and there is a reasonable doubt as to the result thereof, a division on the question shall be granted upon demand of any Senator, if the demand is made prior to a ruling by the Chair upon the vote by voice.

(c) If there is a doubt as to the prevailing vote or a division is called for, the Senate shall divide and those Senators voting in the affirmative of the question shall first rise from their seats and be counted, and afterward those Senators voting in the negative of the question shall rise from their seats and be counted.

(d) Upon a division and count of the Senate, on any question, a Senator who is not in the Chamber shall not be counted.

35. (a) A record vote is a vote taken and recorded through the use of electronic equipment.

(b) In all cases in which the vote of the members of the Senate is taken and recorded through the use of electronic equipment, a period of time immediately following the putting of the question shall be allowed for the casting of the vote. At the discretion of the President or Chair, the voting period shall be declared closed and the result of the vote shall be recorded and announced as recorded, and the official voting roll call sheet shall never in any way be altered or the vote recorded changed thereon.

(c) In the event of failure of the electronic voting equipment, a record vote shall consist of a calling of the roll and a recording of the yeas and nays.

36. The President shall, when the Senate is equally divided, give the deciding vote.

37. (a) No member shall vote for another member, nor shall any person not a member cast a vote for a member; provided, however, that the President Pro Tempore or other Senator may, when presiding, designate another Senator to cast a vote for the chair as directed.

(b) In addition to such penalties as may be prescribed by law, any member who shall vote or attempt to vote for another member may be punished in such manner as the Senate may determine.

(c) If a person not a member shall vote or attempt to vote for any member, the person shall be barred from the floor of the Senate for the remainder of the session and may be further punished in such manner as the Senate may deem proper, in addition to such punishment as may be prescribed by law.

VI. LEGISLATIVE PROCEDURE

A. Form of Bills

38. To be filed, a bill must have been reviewed by the Legislative Services Agency as to technical correctness, have attached a fiscal note

prepared by the Legislative Service Agency, include a brief digest of the bill, and be accompanied by a card addressed to the President Pro Tempore of the Senate, stating the subject matter of the bill and the committee assignment requested.

39. (a) Every bill and resolution filed shall be in a typewritten or printed form having no hand written interlining or defacements of any kind and drafted in a form prescribed by the Legislative Council.

(b) There shall be sufficient copies of the bill prepared for filing or pre-filing, one (1) of which shall be backed. The backed copy shall be the original bill.

(c) Every bill shall contain a title which shall express in concise terms the subject matter of the bill, but be in sufficient detail to acquaint the Senators with the general subject matter under consideration in the bill.

(d) Every amendatory bill shall cite the original act or code as last amended, and the sections of an act or code being amended shall be set forth and published in full length. The identification required by this Rule shall be made by citation reference.

(e) Every bill and resolution shall have one Senator designated as author or sponsor and may have one Senator designated as second author or sponsor. Any number of Senators may be designated as coauthors or cosponsors.

(f) Every bill and resolution shall be endorsed on the backing thereof with the names of the Senators offering the same.

40. (a) Petitions, memorials and other papers, including congratulatory and other resolutions, addressed to the Senate may be presented by the President or any Senator.

(b) Resolutions expressing congratulations, sympathy, or thanks, and similar resolutions shall, for printing and transmitting purposes, be limited to one page, unless prior to presentation, the Senator offering the resolution has obtained permission from the President Pro Tempore.

(c) A petition, memorial, resolution or other paper shall be reported on by the committee to which it is assigned before it may be called for action, unless the President Pro Tempore designates it as eligible for immediate action.

41. Neither the printing contractor nor any subcontractor shall release information concerning bills or resolutions, their progress or work thereon, to any person not authorized by the President Pro Tempore of the Senate to receive such information.

B. Pre-Filing, Filing, Introduction, First Reading and Committee Assignment

42. Any member or member-elect of the Senate may on or after thirty (30) days prior to the convening of any regular or special session pre-file a bill, joint resolution, or concurrent resolution with the Principal Secretary for introduction.

43. A Senator must sign and deliver in person to the Principal Secretary's Office every bill or resolution to be filed or pre-filed by that Senator.

44. (a) Any bill or resolution pre-filed may be withdrawn, prior to its first reading, by the author upon written request to the Principal Secretary and the records shall show such bill or resolution as having been withdrawn.

(b) In the event that the office of any member or member-elect who has pre-filed a bill or resolution shall become vacant for any reason prior to the first reading thereof, the bill or resolution shall be introduced in the names of the remaining second author and/or coauthors, if any. If a bill or resolution was pre-filed only by the member or member-elect whose office is vacant, the bill or resolution shall be withheld from introduction and the records shall show the same as withdrawn prior to introduction.

45. (a) First regular session. There shall be no limitation on the number of bills filed by each Senator before January 7; provided, however, that no Senator shall file more than two (2) bills per business day after January 6 until NOON on January 21 which shall be the deadline for filing bills.

(b) Second regular session. There shall be no limitation on the number of bills filed by each Senator before January 6; provided, however, that no Senator shall file more than one (1) bill per business day after January 5 until NOON on January 7, which shall be the deadline for filing bills.

(c) Each Senator shall be allowed to assign, in writing, his right of bill filing to another Senator.

46. (a) Whenever the President Pro Tempore of the Senate shall assign a filed bill or joint resolution to a standing committee, the assignment shall be made within seven (7) calendar days following the last day for filing bills and joint resolutions and shall cause the bill or joint resolution with the committee assignment to be set forth on a bill filing list.

(b) The following shall be referred to the Committee on Rules and Legislative Procedure:

(1) All vehicle bills.

(2) All bills or resolutions requesting the establishment of interim study committees or statutory committees or commissions.

47. (a) Bills and joint resolutions will be introduced after assignment to a committee.

(b) Bills and resolutions are introduced when read for the first time.

(c) The first reading of a bill shall be for information, including the assignment to a committee by the President Pro Tempore.

48. Bills and joint resolutions pre-filed prior to a session or a recess after organization day may be assigned and released by the President Pro Tempore or President Pro Tempore-elect of the Senate to a standing committee for consideration and will be introduced the first or a subsequent day on which the Senate is convened.

49. Upon the assignment of a bill or resolution for committee consideration or the day of first reading, whichever occurs first, the filed unbacked copies of a bill or resolution shall be distributed by the Principal Secretary as follows: one to the printer for bill reading room copies; one to the

Majority Attorney; one to the Head Senate Proofreader; one to the author; one to the committee chairperson of the committee to which the bill is assigned; and one to the Minority Attorney.

C. Subject Matter

50. No motion to amend, committee action, concurrence or conference committee action which seeks under color of amendment to substitute or insert subject matter not germane to that of the bill or resolution under consideration shall be in order.

51. Any conference committee report not in accordance with Article 4, Section 19 of the Constitution shall not be in order.

D. Committee Meetings, Considerations and Reports

52. The committees of the Senate shall perform such services and take into consideration all subjects and matters required of them by the Senate.

53. (a) No committee or subcommittee, except the Committee on Rules and Legislative Procedure and the Committee on Ethics, shall meet, hear evidence, or take a vote on a bill or resolution assigned to the committee or subcommittee without at least forty-eight (48) hours notice to the public. The notice shall include the following:

- (1) Committee or subcommittee name.
- (2) Chairperson.
- (3) Time, day, date and place of meeting.
- (4) Number and subject matter of all bills and resolutions to be considered.

(b) The Chairperson or Subcommittee Chairperson, with the approval of the Committee Chairperson, is responsible for informing the Principal Secretary of the intent to hold a hearing including all information required in the notice by Rule 53(a).

(c) Senate committee and subcommittee schedules shall be posted prominently in the information center for the Senate Committee hearings and on the Senate bulletin boards outside the Senate and House Chambers for no less than forty-eight (48) hours before the meeting or hearing; provided, however, that the forty-eight (48) hour posting requirement shall not apply to the Committee on Rules and Legislative Procedure and the Committee on Ethics. Senate committee or subcommittee meetings to be scheduled for a Monday or Tuesday shall be posted before noon or prior to adjournment, whichever is later, on the preceding Friday; provided, however, that this posting requirement shall not apply to the Committee on Rules and Legislative Procedure and the Committee on Ethics.

54. (a) Except as provided in Rule 54(b), all standing committee and subcommittee meetings shall be open to the public. The Senate's intent with this Rule is to provide public access to the legislative process without hindering, intimidating, or disrupting that process.

(b) The Committee on Ethics may meet in executive session:

- (1) as provided in IC 2-2.1-3-7; or
- (2) under Rule 92 or 93 to consider the request of a Senator made under Rule 90.

55. No action shall be taken without a quorum of the committee. A quorum shall consist of a majority of the appointed members. Provided, however, that the Chairperson of the Committee on Rules and Legislative Procedure may offer a committee report on behalf of said committee on only his signature.

56. When reporting on vehicle bills, the Rules and Legislative Procedure Committee shall not reassign a vehicle bill to another committee until the substance of the bill which is to be heard by a standing committee is amended into such vehicle bill.

57. When a bill or resolution is assigned to a standing committee the Senator introducing the same shall be a member of the standing committee during such committee's deliberations thereon, but shall have no power to act or vote on the bill or resolution unless the Senator is an appointed member of the standing committee.

58. All bills and resolutions, with or without amendments, must receive consideration by the whole committee before being reported to the body of the Senate by the committee chairperson, except bills and resolutions in possession of the Committee on Rules and Legislative Procedure.

59. (a) When a final vote is taken on any bill or resolution under consideration by a standing committee or subcommittee, the vote of each member of said standing committee or subcommittee shall be recorded and retained as a part of the record of the meeting.

(b) Records of committee votes shall be made available for the purpose of examination by other legislators, the news media, and the public in general as prescribed by the Rules and Legislative Procedure Committee.

(c) Voting by secret ballot is prohibited.

(d) The vote record shall be signed by the committee chairperson or ranking member if the ranking member presides.

60. (a) Each member of the committee including the chairperson shall cast a vote.

(b) No member of the committee shall cast a vote for another member; nor shall any person not a member of the committee cast a vote for a member.

(c) No proxy votes are ever in order.

61. In the event of a tie vote on a vote for final committee recommendation, the chairperson may call for a vote at a later time.

62. After a committee, other than the Committee on Rules and Legislative Procedure, has had a bill under consideration for six (6) days (Sunday and the day of its introduction not included) the author of such bill or any member of the Senate shall have the right to call the attention of the Senate

to such fact. A bill or resolution shall remain in the possession of the committee to which it was assigned unless two-thirds of the Senators elected shall vote to bring the bill or resolution to the floor. A bill or resolution brought to the floor by a vote under this Rule shall be considered by the Senate as if such bill or resolution had been reported without recommendation.

63. (a) The committee to which a bill shall have been assigned may report thereon with or without amendments, or may report a substitute therefor, subject to the provisions of Rule 50.

(b) The committee to which a concurrent resolution shall have been assigned may report thereon only without amendment.

(c) The committee report shall be prepared by the Office of the Majority Attorney on prescribed forms and shall be signed by the committee chairperson, or in the chairperson's absence the ranking member, filed with the Principal Secretary not less than one (1) hour prior to the convening of the session day on which it is to be offered, and reproduced, with copies furnished to the President Pro Tempore, the Minority Leader, and the Chairperson and Ranking Minority Member of the committee which reported the bill; provided, however, that this subsection shall not apply to reports of the Committee on Rules and Legislative Procedure.

64. (a) A minority report may be filed on a bill or resolution if the committee to which the bill or resolution was assigned adopted a majority report on said bill or resolution.

(b) To be eligible for consideration, a minority report must be on prescribed forms and shall be signed by a member of the committee who voted against the majority report, filed with the Secretary not less than one (1) hour prior to the convening of the session day on which it is to be offered, and reproduced with copies furnished to the President Pro Tempore, the Minority Leader, and the Chairperson and Ranking Minority Member of the committee which reported the bill.

(c) A minority report may be made only if a majority report on the same bill or resolution is before the Senate.

(d) If a minority report be made, the question shall be upon concurring in the minority report, and if not concurred in, the question shall then recur upon the majority report.

65. (a) After the assignment of, but prior to the filing of a committee report on, a bill or resolution, a committee which has the bill or resolution under consideration may include in the report a recommendation for reassignment of the bill or resolution to another committee.

(b) A bill or resolution may be reassigned at any time upon a motion of the President Pro Tempore approved by a majority vote of the Senators elected.

66. The Chairperson of a committee reporting on a bill or resolution may open and close the general debate thereon, if any, except when operating under the previous question.

67. (a) Every bill or joint resolution which a committee shall report with a recommendation for passage or shall report without recommendation, shall be printed at once unless already printed. Every bill or joint resolution upon which a divided committee report is made and the report recommending passage is adopted, shall likewise be printed at once unless already printed.

(b) The bill or joint resolution shall be printed in accordance with the style specified in Rule 39 and shall implement the committee report. The committee report shall be appended, except for bills in which the committee report substitutes entirely new language as allowed by Rules 50, 51, or 79(e), in which case reference may be made to the printing.

(c) Whenever a bill or joint resolution shall be reported so as to require a printing of the bill or joint resolution, the number of copies to be printed will be determined by the President Pro Tempore and no more than have been so directed shall be printed at once. One (1) copy of each bill or joint resolution so printed shall be distributed to each Senator and sufficient copies shall be deposited with the Legislative Services Agency for distribution to the public. No more than one (1) copy of any such bill or joint resolution shall be delivered to any one person. Any remaining copies shall be deposited with the Office of the Principal Secretary for the use of the Senate.

E. Second and Third Reading of Bills

68. The calendar prepared by the Office of the Principal Secretary in accordance with Rule 23(b) shall be laid upon the desk of each Senator at the beginning of each day on which the Senate convenes and be made available to the public.

69. (a) Whenever a printed copy of a bill or joint resolution is laid on the desks of the Senators, said bill or joint resolution shall be deemed distributed. The date of such distribution shall be printed on the bill or joint resolution.

(b) No bill shall be read a second time until two (2) calendar days after such distribution.

70. (a) A motion to amend a bill or joint resolution on second reading is in order only if the motion is reduced to writing, contains the original signature of the author of the motion, is filed with the office of the Principal Secretary not less than two and one-half (2 ½) hours before the convening time of the session on the day on which the bill or joint resolution is called for second reading.

(b) If a motion to amend has been timely filed for a bill or joint resolution eligible for call on a day the Senate is convened, but not distributed prior to convening that day, then the bill or joint resolution may not be called that day.

(c) This subsection applies to motions to amend that have been timely filed in correct form and distributed. When a duplicating error in a motion to amend is discovered after the bill is called, action on the bill may be suspended for not more than two (2) hours to allow for correction of the error and for distribution of corrected copies.

71. (a) If no amendments are made to a bill or joint resolution on second reading, the printed bill or joint resolution shall be used for the

engrossed bill or joint resolution after each page thereof is duly authenticated by the engrossing clerk as to the correctness and genuineness of such page, and such printing so authenticated shall be the engrossed bill or joint resolution.

(b) If a bill or joint resolution is amended on second reading, the President Pro Tempore may order the entire bill or joint resolution to be reprinted as amended. If a bill or joint resolution is reprinted, such reprinted bill or joint resolution shall be used for the engrossed bill or joint resolution after each page thereof is duly authenticated by the engrossing clerk as to the correctness and genuineness of such page, and such reprinting so authenticated shall be the engrossed bill or joint resolution.

(c) If a bill or joint resolution is amended on second reading but is not ordered reprinted, the printed bill or joint resolution shall be used for the engrossed bill or joint resolution after each page thereof and each page of all amendments made thereto on second reading is duly authenticated by the engrossing clerk as to the correctness and genuineness of such page, and such printing and amendments thereto so authenticated shall be the engrossed bill or joint resolution.

72. (a) On the call of bills on second and third reading, no name of any Senator shall be called a second time until the entire roll has been called.

(b) A Senator may yield the right to call a bill on second or third reading when the Senator's name is called by stating the name of the Senator to whom the yield is given.

(c) No Senator shall call down more than one (1) bill on each roll call unless a yield has been first obtained for each additional bill called.

73. Bills and resolutions shall be called for action only by Senators whose names appear first and second respectively on the backed original bill or resolution. If the first author or sponsor of a bill or resolution is absent from the floor, the second author may make the call if permission of the first author has been granted, either in writing or by oral communication verified by the President Pro Tempore.

74. When any bill has been ordered reprinted under Rule 71(b), such bill shall not be eligible for call on third reading until such reprinted copies shall have been distributed to the Senators.

75. Unless the constitutional rule be suspended, no bill shall be called for third reading on the same day it shall have passed to engrossment.

76. (a) No Senate bill or joint resolution amending the Constitution shall be called for third reading after March 8 in the first session or February 7 in the second session.

(b) No House bill or joint resolution amending the Constitution shall be called for third reading in the Senate after April 14 in the first session or March 2 in the second session.

(c) No House bill or joint resolution amending the Constitution shall be received by the Senate after March 8 in the first session or February 7 in the second session.

(d) The limitations set forth in this Rule shall not apply to bills concerning reapportionment and redistricting only.

77. (a) No motion shall be received to amend a bill on its third reading, unless it is signed by two-thirds of the Senators elected.

(b) This Rule shall not apply to any motion to amend which corrects technical or printing errors. A motion to amend a bill or joint resolution on third reading shall be specifically designated "Technical Amendments". All technical amendments shall be referred to the Committee on Rules and Legislative Procedure without debate and said Committee shall have the right to report thereon at any time, and any such report shall be immediately disposed of by a majority vote of the Senators present and voting.

(c) This Rule shall not apply to any motion to commit the bill to a committee of one, consisting of the first or second author or sponsor, with specific directions to amend. A motion to commit to a committee of one must be made at the time a bill or joint resolution is called on third reading but prior to being placed on its passage. A motion to commit to a committee of one shall be referred to the Committee on Rules and Legislative Procedure without debate, which may report on the motion at any time, and any such report shall be immediately disposed of by a majority vote of the Senators present and voting. If the Rules and Legislative Procedure Committee Report is adopted, then the committee of one shall report that it has amended the bill as directed and such report shall be disposed of by a majority vote of the Senators present and voting. The bill or joint resolution shall then be open for debate and placed upon its passage.

78. (a) When a bill or joint resolution shall have failed for want of a constitutional majority, but shall have received the affirmative vote of a majority of the Senators present (more yeas than nays, but less than 26 yeas), such bill or joint resolution may be called down by the author or sponsor for a second and final vote, without debate, during the call of bills on third reading on a subsequent day but within three (3) days that the Senate is convened following the initial vote. The call down of such a bill or joint resolution shall not be counted as a third reading call of the author or sponsor. The daily calendar shall list such bill or joint resolution in its regular order, but shall note the session days remaining for action.

(b) When a bill or joint resolution shall have failed for want of a constitutional majority, but shall have received an equal number of affirmative votes and negative votes of the Senators present (the same number but less than 25 of each the yeas and nays), such bill or joint resolution may be called down by the author or sponsor for a second and final vote, without debate, during the call of bills on third reading on a subsequent day but within three (3) days that the Senate is convened following the initial vote. The call down of such a bill or joint resolution shall not be counted as a third reading call of the author or sponsor. The daily calendar shall list such bill or joint resolution in its regular order, but shall note the days remaining for action.

(c) When a bill or joint resolution shall have failed for want of a constitutional majority, but shall have received the negative vote of a majority of the Senators present (more nays than yeas but less than 26 nays), such bill or joint resolution shall be in order for reconsideration on motion by any Senator of the prevailing (nays) side made during the call of bills on third reading on a subsequent day but within three (3) days that the Senate is convened following the initial vote; provided, however, that only one motion to reconsider a bill or joint resolution shall be in order during the session and the vote on such motion shall be without debate. If the motion to reconsider passes, the bill or joint resolution may be called down by

the author or sponsor for a second and final vote, without debate, during the call of bills on third reading on a subsequent day but within three (3) days that the Senate is convened following the initial vote on the bill or joint resolution. The call down of such a bill or joint resolution shall not be counted as a third reading call of the author or sponsor. The daily calendar shall list such bill or joint resolution separately under the heading "Rule 78(c) Bills and Joint Resolutions," following the third reading bills, and shall note the days remaining for action.

(d) Notwithstanding subsection (c), whenever a particular bill or joint resolution receives a constitutional majority of votes against its passage (26 or more nays), that bill or joint resolution shall be considered decisively defeated and shall not be considered again during the session; provided, however, that this provision on decisive defeat does not apply to the operating or construction budgets or to state revenue raising measures which may be brought before the Senate in the same or different bills until adopted.

F. Concurrences, Dissents, and Conference Committees

79. (a) In every case in which a Senate bill or joint resolution is returned from the House with House amendments, a motion to concur or dissent may be filed by the first author or by the second author with the first author's approval by written or oral communication and verified by the President Pro Tempore or member designated by the President Pro Tempore.

(b) A motion to concur or dissent shall be prepared by the Senate Attorneys' Offices, filed with the Office of the Principal Secretary, reproduced and distributed to the Senators.

(c) A motion to concur shall not be acted upon until such motion has been filed with the Secretary of the Senate and distributed to the Senators at least four (4) hours before action is taken thereon.

(d) A motion to dissent is eligible for action immediately after being filed. A motion to dissent may be filed by the second author with the first author's approval by written or oral communication and verified by the President Pro Tempore or member designated by the President Pro Tempore.

(e) No Senate bill or joint resolution returned from the House with an amendment substituting therein new subject matter shall be acted upon by the Senate unless a written consent, describing the change in the subject matter, is signed by the first and second authors and is attached to the bill or joint resolution upon its return. A bill or joint resolution containing a new subject matter and accompanied by the written consent of the first and second authors shall be referred to the Committee on Rules and Legislative Procedure and, if approved, placed on a separate calendar. Such approved bill or joint resolution is subject to the procedures in Rule 79(c).

80. Motions to concur in House amendments shall be rejected unless approved by a majority of the members elected and such majority shall be established by a roll call vote.

81. (a) If the Senate dissents in House amendments, the first or second author may request that the President Pro Tempore appoint a conference committee, and if the House dissents in Senate amendments, the Speaker may request by the appointment of House conferees, that the President Pro Tempore appoint a conference committee.

(b) The Senate conference committee consisting of two Senators, with the first listed Senator being the Senate Chairperson, and advisors may be appointed at any time by the President Pro Tempore.

(c) Senate conferees may be changed or removed at any time by the President Pro Tempore.

(d) The appointment of a conference committee and any change of conferees shall be reported by the President Pro Tempore to the Senate and posted in the information center for the Senate Committee meetings and on the Senate bulletin boards.

82. (a) The Senate Conference Committee shall meet with a like committee of the House of Representatives to adjust the differences.

(b) Conference committee meetings shall be open to the public, shall be held in the State House, and shall convene only after one (1) hour public notice which shall include:

- (1) Members of the conference committee
- (2) Chairperson of the conference committee
- (3) Time, day, date and place of meeting
- (4) Number and subject matter of the bills or joint resolutions to be considered.

(c) It shall be the responsibility of the chairperson of the conference committee on a Senate bill or joint resolution to advise the Office of the Principal Secretary of the intent to hold a conference committee meeting and to provide said office with the information set forth in Rule 82(b).

(d) Notice of a conference committee meeting including all the information set forth in Rule 82(b) shall be posted prominently in the information center for the Senate Committee meetings and on the bulletin boards outside the Senate and House Chambers for no less than one (1) hour prior to said meeting.

83. (a) Each report of a conference committee for the adjustment of differences between the Senate and House, together with a digest of the bill and the changes made, shall be reduced to writing, signed by the appointed conferees, reviewed by the Majority Attorney and Minority Attorney, filed with the Office of the Principal Secretary, and distributed to the Senators at least four (4) hours before action is taken thereon.

(b) The four (4) appointed conferees must sign the Conference Committee Report before said Report will be accepted for filing.

(c) All conference committee reports requiring title amendments shall be stamped "Title Amendment."

(d) No conference committee report shall be referred to the Senate until such time as it has been drawn or approved as to form by both the Majority Attorney and the Minority Attorney.

(e) Any conference committee report which contains subject matter not previously passed by at least one House shall be referred to the Committee on Rules and Legislative Procedure; provided, however, this Rule does not apply to conference committee reports on the appropriation bills. If a conference committee report containing a subject matter not previously passed by at least one House is approved by the Committee on Rules and Legislative Procedure, such report shall be placed on a separate calendar with the heading "Rule 83(e) Conference Committee Reports".

(f) No more than one (1) conference committee report on a bill or joint resolution shall be eligible for consideration by the Senate.

(g) A conference committee report which is eligible for consideration may be withdrawn only with the approval of the Senate upon a written motion made by the Senate chairperson of the conference committee.

(h) Notwithstanding Rule 78, a conference committee report shall be rejected unless approved by a majority of the members elected. Such majority shall be established by roll call vote.

(i) In the first regular session, no conference committee report is eligible for consideration after April 14, unless approved by the Committee on Rules and Legislative Procedure.

(j) In the second regular session, no conference committee report is eligible for consideration after March 2, unless approved by the Committee on Rules and Legislative Procedure.

(k) Upon recommendation of the Committee on Rules and Legislative Procedure subsections (i) and (j) of this rule may be suspended as to a specific bill by the approval of a constitutional majority.

G. Enrollments

84. All bills passed by both Houses shall be printed in enrolled form, and shall be certified as accurate by the first author of the bill, the President of the Senate, the President Pro Tempore, and the Principal Secretary. One copy of each enrollment shall be furnished to the author at the time of that certification.

H. Definitions

85. (a) In computing any period of time under these Rules, the day of the act or event from which the designated period of time begins to run shall not be included. The last day of the period so computed shall be included.

(b) Whenever a deadline date is specified in these rules, and that date falls on a Saturday, Sunday, or legal holiday, that deadline is extended to the next day that is not a Saturday, Sunday, or legal holiday.

(c) "Business day" means Monday through Friday except for legal holidays. Whenever a deadline is specified in these rules to require filing by a certain business day, the deadline shall be 5:00 P.M. on the business day unless otherwise specified by these rules.

(d) Whenever a deadline date is specified in these rules requiring action by the Senate on or before a certain date or prohibiting action after a certain date, the action shall be completed before midnight on the date specified.

(e) Whenever a document is required by these rules to be filed with the Principal Secretary, the document, to be timely filed, must be presented to and scanned or file stamped by the Principal Secretary before the deadline established by these rules.

VII. ETHICS

86. It is declared that high moral and ethical standards among State Senators are essential to the conduct of free government; that the Senate believes that a code of ethics for the guidance of State Senators will help them avoid conflicts of interest in public office, will improve standards of public service, and will promote and strengthen the faith and confidence of the people of Indiana. The code is intended to protect the individual Senators while providing guidelines for all members of the Senate.

Recognizing that service in the Indiana General Assembly is a part-time endeavor and that members of the General Assembly are individuals who are active in the affairs of their localities and elsewhere and that it is necessary that they maintain a livelihood and source of income apart from their legislative compensation, the following guidelines are adopted to assist the members in the conduct of their legislative duties.

87. A Senator who is offered:

(a) an economic or investment opportunity; or

(b) a loan, gratuity, discount, favor, hospitality, or other goods or services; by a person, shall consider, in determining whether or not to accept the offer, whether the Senator's acceptance of the offer may affect the Senator's independent legislative judgment. In so considering, the Senator shall take into account the following:

(1) whether the opportunity is being offered with the intent to influence the Senator's conduct in the performance of legislative duties; or

(2) whether acceptance of the offer would have a unique, direct, and material effect on the nonlegislative income of the Senator, a member of the Senator's immediate family or those of a partnership, corporation or business in which the Senator holds a legal or equitable interest.

Should the Senator determine that, by acceptance of the offer, the Senator's independent legislative judgment may be affected, the Senator shall refuse the offer.

88. A Senator who has a direct personal or pecuniary interest in a piece of legislation which is so substantial as to affect the Senator's

independent legislative judgment is not precluded from participating in committee and floor debate on the legislation, if the Senator publicly proclaims that interest.

89. During the course of a legislative session, a Senator may be placed in a position where the Senator has the obligation to vote on legislation in which the Senator has a direct personal or pecuniary interest. In making this decision pursuant to Rule 4 of the Standing Rules of the Senate and Orders for Government relative to the Senator's activity on the legislation, the Senator shall consider the following:

(a) Whether the Senator's interest in the legislation is so substantial as to affect the Senator's independence of judgment with respect to the legislation.

(b) To what extent the Senator's interest in the legislation mirrors the interest of the citizenry to which the Senator is directly responsible.

(c) The effect of the Senator's participation in the voting on the legislation on public confidence in the integrity of the legislature.

(d) The need of the Senator's particular contribution, such as special knowledge of the subject matter, to the effective functioning of the legislature.

(e) Whether the legislation would have a unique, direct, and material effect on the nonlegislative income of the Senator, a member of the Senator's immediate family or those of a partnership, corporation, or business in which the Senator holds a legal or equitable interest.

90. A Senator may request the assistance of the Senate legislative ethics committee (established pursuant to IC 2-2.1-3-5) in determining the propriety of the Senator's:

(a) proposed acceptance of an offer;

(b) participation in upcoming debate; or

(c) participation in an upcoming vote.

91. Under Rule 90, the Senator shall:

(a) Prepare a written statement describing the matter requiring action or decision by the Senator and the nature of the Senator's potential conflict of interest; and

(b) Deliver a copy of the statement to the Chairman of the Senate legislative ethics committee. If the Chairman is unavailable, a copy of the statement may be delivered to the President Pro Tempore.

92. The legislative ethics committee shall meet as soon as possible and render an advisory opinion on the question raised. Should the committee vote result in a tie, the effect will be to make no recommendation.

93. If a Senator requests the assistance of the Senate legislative ethics committee under Rule 90, and there is insufficient time to comply with Rule 91, the Senator shall orally inform the Chairman of the Senate legislative ethics committee of the potential conflict. The matter shall then be immediately referred to the legislative ethics committee for its recommendation.

94. The written report of the legislative ethics committee shall be forwarded to the President Pro Tempore of the Senate and the Senate Minority Leader. The committee's written report and the written statement of the Senator making the request under Rule 91 shall remain confidential unless the Senator making the request consents to their disclosure.

SUMMARY OF LAWS RELATING TO LEGISLATIVE CONDUCT

IC 2-2.1-3-2: Members must file a written statement of their economic interests for the preceding calendar year not later than seven (7) calendar days following the first session day in January of each year.

IC 2-2.1-3-7: Provides an administrative procedure to be used by each legislative ethics committee to receive and hear any complaint which alleges a breach of any privilege of the appropriate house, misconduct of any member, or any violation of the respective code of ethics.

IC 2-2.1-3-9: Members shall not accept compensation from any employment, transaction or investment entered into or made as a result of material information of a confidential nature.

IC 2-2.1-3-10: Members shall not receive a price substantially exceeding that which they would charge in the ordinary course of business for the sale or lease of any property or service from any person who has an economic interest in a legislative matter.

IC 2-2.1-3-12: Prescribes the punishment for willful failure to file a required statement, knowingly filing a false statement and for a violation of IC 2-2.1-3-9 and IC 2-2.1-3-10.

IC 2-7-5-1: No legislative official shall receive compensation or reimbursement other than from the state for personally engaging in lobbying.

IC 2-7-5-2: It is unlawful for any full-time public official or employee of the state to receive compensation, other than regular compensation, for lobbying.

IC 2-7-5-4: No past member of the general assembly who is a lobbyist may be on the floor of either house while that house is in session.

IC 2-7-6-2: Any person who knowingly or intentionally violates lobbying registration and other reporting requirements (IC 2-7-2, 2-7-3, or 2-7-5) commits unlawful lobbying, a Class D felony.

IC 2-7-6-3: Any person who knowingly or intentionally makes a false report understating or overstating amounts of expenditures or gifts commits a Class D felony.

IC 2-7-6-4: A member of the general assembly who knowingly or intentionally conspires with a lobbyist in violation of IC 2-7-6-2 or IC 2-7-6-3 commits a Class D felony.

IC 3-9-2-12: Candidates for election to the general assembly, their committee, and legislative caucus committee may not solicit or accept campaign contributions, nor conduct fundraising activities, in each odd numbered year between the first day in January when the general assembly reconvenes and when it adjourns sine die.

IC 3-9-5-18: Members are required to file a statement that all political contributions received have been turned over to their principal committee treasurer and that the committee reports are complete and accurate.

IC 3-14-1: (See various sections) - Identifies various campaign violations and prescribes penalties for certain acts, including the penalty for knowingly filing a fraudulent report, failing to file a report or recklessly violating a provision of the article.

IC 35-44-1-1(a)(2): Members shall not solicit, accept or agree to accept any property with intent to control their performance or function as a legislator.

IC 35-44-1-2: Members who do any of the following commit official misconduct, a Class A misdemeanor:

1. Knowingly or intentionally perform an act forbidden by law.
2. Perform an unauthorized act with intent to obtain property.
3. Knowingly or intentionally solicit, accept or agree to accept from an appointee or employee any unauthorized property as a condition of continued employment.
4. Knowingly or intentionally acquire a pecuniary interest in any property or enterprise based on information obtained by virtue of the member's office.
5. Knowingly or intentionally fail to deliver public records and property in the member's possession to the member's successors in office.

IC 35-44-1-3: Members who knowingly or intentionally:

1. have a pecuniary interest in;
2. derive a profit from;

a contract or purchase by the legislature without full disclosure of their interest or profit, commit conflict of interest.

**JOINT RULES
FOR CONDUCTING BUSINESS IN THE TWO
HOUSES OF THE GENERAL ASSEMBLY
OF THE STATE OF INDIANA**

1. After a bill or resolution has passed one house and before it shall be transmitted to the other house for further action, it shall be the duty of the author to furnish to the clerk of the house of origin a card bearing the name of the party selected as sponsor in the other house, which card shall be attached to the bill and transmitted therewith.

2. (a) After a bill or joint resolution shall have passed both houses it shall be duly enrolled on paper, and the clerk of the house where it originated shall certify over his or her signature upon the back thereof the house in which it originated, the dates upon which it passed the House and Senate, respectively, and the number of votes cast for and against it in each house.

(b) Every enrolled bill or joint resolution shall be printed in enrolled act form. The session of the General Assembly shall be indicated on the face of such printed enrollment. In the case of enrolled bills proposing to amend any then existing Indiana statute, the text shall reflect any change from the text of the then existing statute. This shall be accomplished by the use of bold face type to indicate the addition of new material to the text of the then existing statute, and canceled type to indicate the deletion of existing material.

3. Every bill or joint resolution, after having been enrolled, shall be examined by the Committee on Rules and Legislative Procedures of the house in which it originated, which shall compare the enrolled copy with the engrossed copy, or cause the author thereof to do so, taking special care that the engrossed amendments adopted by either house, if any there be, shall have been properly incorporated in said enrolled copy and shall report in writing to said house any errors therein. In addition to the three official copies of each enrolled bill, there shall be printed on writing paper one hundred copies, excepting, however, the general appropriation bill, which shall be delivered to the Public Law Division of the Legislative Services Agency for the use of the public.

4. (a) Every bill or joint resolution reported to have been duly enrolled shall be signed first by the Speaker of the House of Representatives, who shall send the same to the Senate; then by the President of the Senate, after which it shall be presented by the Secretary of the Senate or the Clerk of the House of Representatives to the Governor for his signature.

(b) Except as provided in this rule, all bills and joint resolutions shall be signed by the Speaker of the House of Representatives and the President of the Senate, in their houses respectively, when in session.

(c) During a recess period, the Speaker and the President of the Senate may sign bills and resolutions in their respective offices. A list of the bills and resolutions signed during any recess shall be read immediately upon the reconvening of each house.

5. A record of all bills and resolutions signed, whether in session or during a recess, shall be kept in the Journals of each house.

6. When any paper or papers, proper to be acted upon by both houses, shall come before either, the house before which such paper or papers are laid shall, after acting thereupon, lay it or them before the other house.

7. (a) In every case of an amendment of a bill agreed to in one house, and dissented to in the other, either house may request a conference and appoint a committee for that purpose; the other house may also appoint a committee. A conference committee shall consist of two members from each house; one member from the house in which the bill or resolution originated shall be named as chairman by the appointing authority of the house of origination.

(b) Conferees shall state to each other verbally or in writing, as either shall choose, the reason of their respective houses for and against the amendment, and confer freely thereon and report to each house their proceedings thereon. Meetings of conference committees shall be held at a convenient hour agreed upon by the conferees and shall be open to the public, whenever feasible, in which event, notice shall be posted before such meeting in accordance with the rules of the house in which the bill originated. It is the intent of this joint rule to provide public access to the legislative process without hindering, intimidating or disrupting that process.

8. In all cases where the Doorkeeper of one house shall, by reason of official engagement, or other causes, be unable to execute the commands or process of the house of which he is an officer, it shall be the duty of the Doorkeeper of the other house to execute such commands, together with such process as may be directed to him by the presiding officer thereof.

9. A joint standing committee to be called the Committee on Joint Rules shall be appointed, to consist of four Senators, not more than two of whom shall be from the same political party, four Representatives, not more than two of whom shall be from the same political party, and the Speaker of the House of Representatives and the President Pro Tempore of the Senate, which last two officers shall be ex officio members of the Committee.

10. All joint conventions shall be held in the hall of the House of Representatives unless a different place shall be designated in the resolution by which such joint convention is convened. All such joint conventions shall be presided over by the President of the Senate, or if for any reason the President of the Senate be absent or decline to preside, then the President Pro Tempore of the Senate shall preside.

11. In all joint conventions and joint meetings of the two houses no business shall be transacted other than that for which they were assembled.

12. When a message is sent to the Senate or to the House of Representatives, it shall be delivered in writing to the Secretary of the Senate or the Clerk of the House, who shall deliver such message to the Chair.

13. Messages shall be sent by such persons as the President Pro Tempore of the Senate or Speaker of the House may designate for that purpose.

14. When bills which have passed one house are ordered to be printed in the other, a greater number of copies shall not be printed than may

be necessary for the use of the house making the order.

15. When the Governor has informed either house of the General Assembly that he has signed a bill or joint resolution, or taken any other action affecting both houses of the General Assembly, the house to which his action is reported shall inform the other house of the General Assembly of the Governor's report.

16. Any proposed amendments to these rules shall be referred to the Committee on Joint Rules.

17. The Secretary of the Senate and the Clerk of the House of Representatives shall at the time of delivery of the enrolled acts and resolutions for the signature of the presiding officer leave with the minute clerk a copy of a written message setting out the numbers of the enrolled acts or resolutions so submitted.

18. A motion to recess for more than three days shall be deemed to have failed unless approved by a majority of the members elected in each house. Such majority shall be established by roll call vote.

19. The joint rules, upon adoption, shall govern the General Assembly for the term of that General Assembly unless suspended or amended.

20. If:

(1) two bills amending the same section of the Indiana Code are approved in the same session of the General Assembly, and neither bill recognizes the existence of the other;

(2) one bill amends a section of the Indiana Code and another bill repeals that section with an effective date preceding the effective date of the amendment; or

(3) two bills each add a new provision to the Indiana Code at the same code citation without either bill recognizing the addition made by the other and both bills are approved in the same session of the General Assembly;

one of the two bills may be corrected at enrollment to recognize the existence of the other by the Committee on Rules and Legislative Procedures of the House of Representatives and the Committee on Rules and Legislative Procedure of the Senate. However, a correction under this rule is limited to the extent necessary to resolve the technical conflict and may not be made unless the report of each of the two committees includes the written consent of the respective committee's ranking minority member. In addition, the committee report in each house must include the written consent of the corrected bill's author or sponsor, as the case may be, in that house.

21. If a bill is passed which clearly expresses the intent that a SECTION thereof becomes effective on a date other than the standard statutory effective date set forth in the Indiana Code, but does not use the technical emergency provision for such effective date, then the Rules and Legislative Procedures Committee of the House of Representatives and the Rules and Legislative Procedure Committee of the Senate may correct the bill at enrollment to include the technical emergency provision for the expressed effective date. For the correction to be made, each House must adopt a committee report setting forth the correction and containing the written consent of the Chairperson and ranking minority member of the Rules Committee of that House and the author or sponsor of the bill in that House.

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Constitution of the State of Indiana

PREAMBLE

TO THE END, that justice be established, public order maintained, and liberty perpetuated; WE, the *People of the State of Indiana*, grateful to ALMIGHTY GOD for the free exercise of the right to choose our own form of government, do ordain this *Constitution*.

ARTICLE 1.

Bill of Rights.

Section 1. WE DECLARE, That all people are created equal; that they are endowed by their CREATOR with certain inalienable rights; that among these are life, liberty, and the pursuit of happiness; that all power is inherent in the people; and that all free governments are, and of right ought to be, founded on their authority, and instituted for their peace, safety, and well-being. For the advancement of these ends, the people have, at all times, an indefeasible right to alter and reform their government.

(History: As Amended November 6, 1984).

Section 2. All people shall be secured in the natural right to worship ALMIGHTY GOD, according to the dictates of their own consciences.

(History: As Amended November 6, 1984).

Section 3. No law shall, in any case whatever, control the free exercise and enjoyment of religious opinions, or interfere with the rights of conscience.

Section 4. No preference shall be given, by law, to any creed, religious society, or mode of worship; and no person shall be compelled to attend, erect, or support, any place of worship, or to maintain any ministry, against his consent.

(History: As Amended November 6, 1984).

Section 5. No religious test shall be required, as a qualification for any office of trust or profit.

Section 6. No money shall be drawn from the treasury, for the benefit of any religious or theological institution.

Section 7. No person shall be rendered incompetent as a witness, in consequence of his opinions on matters of religion.

Section 8. The mode of administering an oath or affirmation, shall be such as may be most consistent with, and binding upon, the conscience of the person, to whom such oath or affirmation may be administered.

Section 9. No law shall be passed, restraining the free interchange of thought and opinion, or restricting the right to speak, write, or print, freely, on any subject whatever: but for the abuse of that right, every person shall be responsible.

Section 10. In all prosecutions for libel, the truth of the matters alleged to be libellous, may be given in justification.

Section 11. The right of the people to be secure in their persons, houses, papers, and effects, against unreasonable search or seizure, shall not be violated; and no warrant shall issue, but upon probable cause, supported by oath or affirmation, and particularly describing the place to be searched, and the person or thing to be seized.

Section 12. All courts shall be open; and every person, for injury done to him in his person, property, or reputation, shall have remedy by due course of law. Justice shall be administered freely, and without purchase; completely, and without denial; speedily, and without delay.

(History: As Amended November 6, 1984).

Section 13. (a) In all criminal prosecutions, the accused shall have the right to a public trial, by an impartial jury, in the county in which the offense shall have been committed; to be heard by himself and counsel; to demand the nature and cause of the accusation against him, and to have a copy thereof; to meet the witnesses face to face, and to have compulsory process for obtaining witnesses in his favor.

(b) Victims of crime, as defined by law, shall have the right to be treated with fairness, dignity, and respect throughout the criminal justice process; and, as defined by law, to be informed of and present during public hearings and to confer with the prosecution, to the extent that exercising these rights does not infringe upon the constitutional rights of the accused.

(History: As Amended November 5, 1996).

Section 14. No person shall be put in jeopardy twice for the same offense. No person, in any criminal prosecution, shall be compelled to testify against himself.

Section 15. No person arrested, or confined in jail, shall be treated with unnecessary rigor.

Section 16. Excessive bail shall not be required. Excessive fines shall not be imposed. Cruel and unusual punishments shall not be inflicted. All penalties shall be proportioned to the nature of the offense.

Section 17. Offenses, other than murder or treason, shall be bailable by sufficient sureties. Murder or treason shall not be bailable, when the proof is evident, or the presumption strong.

Section 18. The penal code shall be founded on the principles of reformation, and not of vindictive justice.

Section 19. In all criminal cases whatever, the jury shall have the right to determine the law and the facts.

Section 20. In all civil cases, the right of trial by jury shall remain inviolate.

Section 21. No person's particular services shall be demanded, without just compensation. No person's property shall be taken by law, without just compensation; nor, except in case of the State, without such compensation first assessed and tendered.

(History: As Amended November 6, 1984).

Section 22. The privilege of the debtor to enjoy the necessary comforts of life, shall be recognized by wholesome laws, exempting a reasonable

amount of property from seizure or sale, for the payment of any debt or liability hereafter contracted: and there shall be no imprisonment for debt, except in case of fraud.

Section 23. The General Assembly shall not grant to any citizen, or class of citizens, privileges or immunities, which, upon the same terms, shall not equally belong to all citizens.

Section 24. *No ex post facto* law, or law impairing the obligation of contracts, shall ever be passed.

Section 25. No law shall be passed, the taking effect of which shall be made to depend upon any authority, except as provided in this Constitution.

Section 26. The operation of the laws shall never be suspended, except by the authority of the General Assembly.

Section 27. The privilege of the writ of *habeas corpus* shall not be suspended, except in case of rebellion or invasion; and then, only if the public safety demand it.

Section 28. Treason against the State shall consist only in levying war against it, and in giving aid and comfort to its enemies.

Section 29. No person shall be convicted of treason, except on the testimony of two witnesses to the same overt act, or upon his confession in open court.

Section 30. No conviction shall work corruption of blood, or forfeiture of estate.

Section 31. No law shall restrain any of the inhabitants of the State from assembling together in a peaceable manner, to consult for their common good; nor from instructing their representatives; nor from applying to the General Assembly for redress of grievances.

Section 32. The people shall have a right to bear arms, for the defense of themselves and the State.

Section 33. The military shall be kept in strict subordination to the civil power.

Section 34. No soldier shall, in time of peace, be quartered in any house, without the consent of the owner; nor, in time of war, but in a manner to be prescribed by law.

Section 35. The General Assembly shall not grant any title of nobility, nor confer hereditary distinctions.

Section 36. Emigration from the State shall not be prohibited.

Section 37. There shall be neither slavery, nor involuntary servitude, within the State, otherwise than for the punishment of crimes, whereof the party shall have been duly convicted.

(History: As Amended November 6, 1984).

ARTICLE 2.

Suffrage and Election.

Section 1. All elections shall be free and equal.

Section 2. (a) A citizen of the United States who is at least eighteen (18) years of age and who has been a resident of a precinct thirty (30) days immediately preceding an election may vote in that precinct at the election.

(b) A citizen may not be disenfranchised under subsection (a), if the citizen is entitled to vote in a precinct under subsection (c) or federal law.

(c) The General Assembly may provide that a citizen who ceases to be a resident of a precinct before an election may vote in a precinct where the citizen previously resided if, on the date of the election, the citizen's name appears on the registration rolls for the precinct.

(History: As Amended March 14, 1881; September 6, 1921; November 2, 1976; November 6, 1984; November 3, 1998).

Section 3.

(History: Repealed November 3, 1998).

Section 4. No person shall be deemed to have lost his residence in the State, by reason of his absence, either on business of this State or of the United States.

Section 5.

(History: Repealed March 14, 1881).

Section 6. Every person shall be disqualified from holding office, during the term for which he may have been elected, who shall have given or offered a bribe, threat, or reward, to procure his election.

Section 7.

(History: Repealed November 6, 1984).

Section 8. The General Assembly shall have power to deprive of the right of suffrage, and to render ineligible, any person convicted of an infamous crime.

Section 9. No person holding a lucrative office or appointment under the United States or under this State is eligible to a seat in the General Assembly; and no person may hold more than one lucrative office at the same time, except as expressly permitted in this Constitution. Offices in the militia to which there is attached no annual salary shall not be deemed lucrative.

(History: As Amended November 6, 1984).

Section 10. No person who may hereafter be a collector or holder of public moneys, shall be eligible to any office of trust or profit, until he shall have accounted for, and paid over, according to law, all sums for which he may be liable.

Section 11. In all cases in which it is provided, that an office shall not be filled by the same person more than a certain number of years continuously, an appointment *pro tempore* shall not be reckoned a part of that term.

Section 12. In all cases, except treason, felony, and breach of the peace, electors shall be free from arrest, in going to elections, during their attendance there, and in returning from the same.

Section 13. All elections by the *People* shall be by ballot; and all elections by the General Assembly, or by either branch thereof, shall be *viva voce*.

Section 14. (a) General elections shall be held on the first Tuesday after the first Monday in November.

(b) The General Assembly may provide by law for the election of all judges of courts of general and appellate jurisdiction, by an election to be held for such officers only, at which time no other officer shall be voted for.

(c) The General Assembly shall provide for the registration of all persons entitled to vote.

(History: As Amended March 14, 1881; Amended November 3, 1998).

ARTICLE 3.

Distribution of Powers.

Section 1. The powers of the Government are divided into three separate departments; the Legislative, the Executive including the Administrative, and the Judicial: and no person, charged with official duties under one of these departments, shall exercise any of the functions of another, except as in this Constitution expressly provided.

ARTICLE 4.

Legislative.

Section 1. The Legislative authority of the State shall be vested in a General Assembly, which shall consist of a Senate and a House of Representatives. The style of every law shall be: "Be it enacted by the General Assembly of the State of Indiana"; and no law shall be enacted, except by bill.

Section 2. The Senate shall not exceed fifty, nor the House of Representatives one hundred members; and they shall be chosen by the electors of the respective districts into which the State may, from time to time, be divided.

(History: As Amended November 6, 1984).

Section 3. Senators shall be elected for the term of four years, and Representatives for the term of two years, from the day next after their general election. One half of the Senators, as nearly as possible, shall be elected biennially.

(History: As Amended November 6, 1984).

Section 4. The General Assembly may provide by law for the filling of such vacancies as may occur in the General Assembly.

(History: As Amended March 14, 1881; November 6, 1984).

Section 5. The General Assembly elected during the year in which a federal decennial census is taken shall fix by law the number of Senators and Representatives and apportion them among districts according to the number of inhabitants in each district, as revealed by that federal decennial census. The territory in each district shall be contiguous.

(History: As amended March 14, 1881; November 6, 1984).

Section 6.

(History: Repealed November 6, 1984).

Section 7. No person shall be a Senator or a Representative, who, at the time of his election, is not a citizen of the United States; nor any one who has not been for two years next preceding his election, an inhabitant of this State, and, for one year next preceding his election, an inhabitant of the district whence he may be chosen. Senators shall be at least twenty-five, and Representatives at least twenty-one years of age.

(History: As Amended November 6, 1984).

Section 8. Senators and Representatives, in all cases except treason, felony, and breach of the peace, shall be privileged from arrest, during the session of the General Assembly, and in going to and returning from the same; and shall not be subject to any civil process, during the session of the General Assembly, nor during the fifteen days next before the commencement thereof. For any speech or debate in either House, a member shall not be questioned in any other place.

Section 9. The sessions of the General Assembly shall be held at the capitol of the State, commencing on the Tuesday next after the second Monday in January of each year in which the General Assembly meets unless a different day or place shall have been appointed by law. But if, in the opinion of the Governor, the public welfare shall require it, he may, at any time by proclamation, call a special session. The length and frequency of the sessions of the General Assembly shall be fixed by law.

(History: As Amended November 3, 1970. The schedule adopted with the 1970 amendment to Article 4, Section 9 was stricken out by the November 6, 1984, amendment).

Section 10. Each House, when assembled, shall choose its own officers, the President of the Senate excepted; judge the elections, qualifications, and returns of its own members; determine its rules of proceeding, and sit upon its own adjournment. But neither House shall, without the consent of the other, adjourn for more than three days, nor to any place other than that in which it may be sitting.

Section 11. Two-thirds of each House shall constitute a quorum to do business; but a smaller number may meet, adjourn from day to day, and compel the attendance of absent members. A quorum being in attendance, if either House fail to effect an organization within the first five days thereafter, the members of the House so failing, shall be entitled to no compensation, from the end of the said five days until an organization shall have been effected.

Section 12. Each House shall keep a journal of its proceedings, and publish the same. The yeas and nays, on any question, shall, at the request of any two members, be entered, together with the names of the members demanding the same, on the journal; Provided, that on a motion to adjourn, it shall require one-tenth of the members present to order the yeas and nays.

Section 13. The doors of each House, and of Committees of the Whole, shall be kept open, except in such cases, as, in the opinion of either House, may require secrecy.

Section 14. Either House may punish its members for disorderly behavior, and may, with the concurrence of two-thirds, expel a member; but not a second time for the same cause.

Section 15. Either House, during its session, may punish, by imprisonment, any person not a member, who shall have been guilty of disrespect to the House, by disorderly or contemptuous behavior, in its presence; but such imprisonment shall not, at any one time, exceed twenty-four hours.

Section 16. Each House shall have all powers, necessary for a branch of the Legislative department of a free and independent State.

Section 17. Bills may originate in either House, but may be amended or rejected in the other; except that bills for raising revenue shall originate in the House of Representatives.

Section 18. Every bill shall be read, by title, on three several days, in each House; unless, in case of emergency, two-thirds of the House where such bill may be pending shall, by a vote of yeas and nays, deem it expedient to dispense with this rule; but the reading of a bill, by title, on its final passage, shall, in no case, be dispensed with; and the vote on the passage of every bill or joint resolution shall be taken by yeas and nays.

(History: As Amended November 6, 1984).

Section 19. An act, except an act for the codification, revision or rearrangement of laws, shall be confined to one subject and matters properly connected therewith.

(History: As Amended November 8, 1960; November 5, 1974).

Section 20. Every act and joint resolution shall be plainly worded, avoiding, as far as practicable, the use of technical terms.

Section 21.

(History: Repealed November 8, 1960).

Section 22. The General Assembly shall not pass local or special laws:

Providing for the punishment of crimes and misdemeanors;

Regulating the practice in courts of justice;

Providing for changing the venue in civil and criminal cases;

Granting divorces;

Changing the names of persons;

Providing for laying out, opening, and working on, highways, and for the election or appointment of supervisors;

Vacating roads, town plats, streets, alleys, and public squares;

Summoning and empanelling grand and petit juries, and providing for their compensation;

Regulating county and township business;

Regulating the election of county and township officers and their compensation;

Providing for the assessment and collection of taxes for State, county, township, or road purposes;

Providing for the support of common schools, or the preservation of school funds;

Relating to fees or salaries, except that the laws may be so made as to grade the compensation of officers in proportion to the population and the necessary services required;

Relating to interest on money;

Providing for opening and conducting elections of State, county, or township officers, and designating the places of voting;

Providing for the sale of real estate belonging to minors or other persons laboring under legal disabilities, by executors, administrators, guardians, or trustees.

(History: As Amended March 14, 1881; November 6, 1984).

Section 23. In all the cases enumerated in the preceding section, and in all other cases where a general law can be made applicable, all laws shall

be general, and of uniform operation throughout the State.

Section 24. Provision may be made, by general law, for bringing suit against the State; but no special law authorizing such suit to be brought, or making compensation to any person claiming damages against the State, shall ever be passed.
(History: As Amended November 6, 1984).

Section 25. A majority of all the members elected to each House, shall be necessary to pass every bill or joint resolution; and all bills and joint resolutions so passed, shall be signed by the Presiding Officers of the respective Houses.

Section 26. Any member of either House shall have the right to protest, and to have his protest, with his reasons for dissent, entered on the journal.

Section 27. Every statute shall be a public law, unless otherwise declared in the statute itself.

Section 28. No act shall take effect, until the same shall have been published and circulated in the several counties of the State, by authority, except in case of emergency, which emergency shall be declared in the preamble, or in the body, of the law.

Section 29. The members of the General Assembly shall receive for their services a compensation to be fixed by law; but no increase of compensation shall take effect during the session at which such increase may be made.
(History: As Amended November 3, 1970. The schedule adopted with the 1970 amendment to Article 4, Section 9 was stricken out by the November 6, 1984, amendment).

Section 30. No Senator or Representative shall, during the term for which he may have been elected, be eligible to any office, the election to which is vested in the General Assembly; nor shall he be appointed to any civil office of profit, which shall have been created, or the emoluments of which shall have been increased, during such term; but this latter provision shall not be construed to apply to any office elective by the People.

ARTICLE 5.

Executive.

Section 1. The executive power of the State shall be vested in a Governor. He shall hold his office during four years, and shall not be eligible more than eight years in any period of twelve years.
(History: As Amended November 7, 1972).

Section 2. There shall be a Lieutenant Governor, who shall hold his office during four years.

Section 3. The Governor and Lieutenant Governor shall be elected at the times and places of choosing members of the General Assembly.

Section 4. Each candidate for Lieutenant Governor shall run jointly in the general election with a candidate for Governor, and his name shall appear jointly on the ballot with the candidate for Governor. Each vote cast for a candidate for Governor shall be considered cast for the candidate for Lieutenant Governor as well. The candidate for Lieutenant Governor whose name appears on the ballot jointly with that of the successful candidate for Governor shall be elected Lieutenant Governor.
(History: As Amended November 5, 1974).

Section 5. In the event of a tie vote, the Governor and Lieutenant Governor shall be elected from the candidates having received the tie vote by the affirmative vote in joint session of a majority of the combined membership of both Houses as the first order of business after their organization.
(History: As Amended November 5, 1974).

Section 6. Contested elections for Governor or Lieutenant Governor, shall be determined by the General Assembly, in such manner as may be prescribed by law.

Section 7. No person shall be eligible to the office of Governor or Lieutenant Governor, who shall not have been five years a citizen of the United States, and also a resident of the State of Indiana during the five years next preceding his election; nor shall any person be eligible to either of the said offices, who shall not have attained the age of thirty years.

Section 8. No member of Congress, or person holding any office under the United States or under this State, shall fill the office of Governor or Lieutenant Governor.

Section 9. The official term of the Governor and Lieutenant Governor shall commence on the second Monday of January, in the year one thousand eight hundred and fifty-three; and on the same day every fourth year thereafter.

Section 10. (a) In case the Governor-elect fails to assume office, or in case of the death or resignation of the Governor or his removal from office, the Lieutenant Governor shall become Governor and hold office for the unexpired term of the person whom he succeeds. In case the Governor is unable to discharge the powers and duties of his office, the Lieutenant Governor shall discharge the powers and duties of the office as Acting Governor.

(b) Whenever there is a vacancy in the office of Lieutenant Governor, the Governor shall nominate a Lieutenant Governor who shall take office upon confirmation by a majority vote in each house of the general assembly and hold office for the unexpired term of the person whom he succeeds. If the general assembly is not in session, the Governor shall call it into special session to receive and act upon the Governor's nomination. In the event of the inability of the Lieutenant Governor to discharge the powers and duties of his office, the General Assembly may provide by law for the manner in which a person shall be selected to act in his place and declare which powers and duties of the office such person shall discharge.

(c) Whenever the Governor transmits to the President pro tempore of the Senate and the Speaker of the House of Representatives his written declaration that he is unable to discharge the powers and duties of his office, and until he transmits to them a written declaration to the contrary, such powers and duties shall be discharged by the Lieutenant Governor as Acting Governor. Thereafter, when the Governor transmits to the President pro tempore of the Senate and the Speaker of the House of Representatives his written declaration that no inability exists, he shall resume the powers and duties of his office.

(d) Whenever the President pro tempore of the Senate and the Speaker of the House of Representatives file with the Supreme Court a written statement suggesting that the Governor is unable to discharge the powers and duties of his office, the Supreme Court shall meet within forty-eight hours to decide the question and such decision shall be final. Thereafter, whenever the Governor files with the Supreme Court his written declaration that no inability exists, the Supreme Court shall meet within forty-eight hours to decide whether such be the case and such decision shall be final.

Upon a decision that no inability exists, the Governor shall resume the powers and duties of his office.

(e) Whenever there is a vacancy in both the office of Governor and Lieutenant Governor, the general assembly shall convene in joint session forty-eight hours after such occurrence and elect a Governor from and of the same political party as the immediately past Governor by a majority vote of each house.

(History: As Amended November 7, 1978).

Section 11. Whenever the Lieutenant Governor shall act as Governor, or shall be unable to attend as President of the Senate, the Senate shall elect one of its own members as President for the occasion.

Section 12. The Governor shall be commander-in-chief of the armed forces, and may call out such forces, to execute the laws, or to suppress insurrection, or to repel invasion.

(History: As Amended November 6, 1984).

Section 13. The Governor shall, from time to time, give to the General Assembly information touching the condition of the State, and recommend such measures as he shall judge to be expedient.

(History: As Amended November 6, 1984).

Section 14. (a) Every bill which shall have passed the General Assembly shall be presented to the Governor. The Governor shall have seven days after the day of presentment to act upon such bill as follows:

(1) He may sign it, in which event it shall become a law.

(2) He may veto it:

(A) In the event of a veto while the General Assembly is in session, he shall return such bill, with his objections, within seven days of presentment, to the House in which it originated. If the Governor does not return the bill within seven days of presentment, the bill becomes a law notwithstanding the veto.

(B) If the Governor returns the bill under clause (A), the House in which the bill originated shall enter the Governor's objections at large upon its journals and proceed to reconsider and vote upon whether to approve the bill. The bill must be reconsidered and voted upon within the time set out in clause (C). If, after such reconsideration and vote, a majority of all the members elected to that House shall approve the bill, it shall be sent, with the Governor's objections, to the other House, by which it shall likewise be reconsidered and voted upon, and, if approved by a majority of all the members elected to that House, it shall be a law.

(C) If the Governor returns the bill under clause (A), the General Assembly shall reconsider and vote upon the approval of the bill before the final adjournment of the next regular session of the General Assembly that follows the regular or special session in which the bill was originally passed. If the House in which the bill originated does not approve the bill under clause (B), the other House is not required to reconsider and vote upon the approval of the bill. If, after voting, either House fails to approve the bill within this time, the veto is sustained.

(D) In the event of a veto after final adjournment of a session of the General Assembly, such bill shall be returned by the Governor to the House in which it originated on the first day that the General Assembly is in session after such adjournment, which House shall proceed in the same manner as with a bill vetoed before adjournment. The bill must be reconsidered and voted upon within the time set out in clause (C). If such bill is not so returned, it shall be a law notwithstanding such veto.

(3) He may refuse to sign or veto such bill in which event it shall become a law without his signature on the eighth day after presentment to the Governor.

(b) Every bill presented to the Governor which is signed by him or on which he fails to act within said seven days after presentment shall be filed with the Secretary of State within ten days of presentment. The failure to so file shall not prevent such a bill from becoming a law.

(c) In the event a bill is passed over the Governor's veto, such bill shall be filed with the Secretary of State without further presentment to the Governor, provided that, in the event of such passage over the Governor's veto in the next succeeding General Assembly, the passage shall be deemed to have been the action of the General Assembly which initially passed such bill.

(History: As Amended November 7, 1972; November 6, 1990).

Section 15. The Governor shall transact all necessary business with the officers of government, and may require information in writing from the officers of the administrative department, upon any subject relating to the duties of their respective offices.

Section 16. The Governor shall take care that the laws are faithfully executed.

(History: As Amended November 6, 1984).

Section 17. The Governor may grant reprieves, commutations, and pardons, after conviction, for all offenses except treason and cases of impeachment, subject to such regulations as may be provided by law. Upon conviction for treason, the Governor may suspend the execution of the sentence, until the case has been reported to the General Assembly, at its next meeting, when the General Assembly shall either grant a pardon, commute the sentence, direct the execution of the sentence, or grant a further reprieve. The Governor may remit fines and forfeitures, under such regulations as may be provided by law; and shall report to the General Assembly, at its next meeting, each case of reprieve, commutation, or pardon granted, and also the names of all persons in whose favor remission of fines and forfeitures were made, and the several amounts remitted; provided, however, the General Assembly may, by law, constitute a council composed of officers of State, without whose advice and consent the Governor may not grant pardons, in any case, except those left to his sole power by law.

(History: As Amended November 6, 1984).

Section 18. When, during a recess of the General Assembly, a vacancy shall happen in any office, the appointment to which is vested in the General Assembly; or when, at any time, a vacancy shall have occurred in any other State office, or in the office of Judge of any Court; the Governor shall fill such vacancy, by appointment, which shall expire, when a successor shall have been elected and qualified.

Section 19.

(Repealed November 6, 1984).

Section 20. Should the seat of government become dangerous from disease or a common enemy, the Governor may convene the General Assembly at any other place.

(History: As Amended November 6, 1984).

Section 21. The Lieutenant Governor shall, by virtue of his office, be President of the Senate; have a right, when in committee of the whole, to join in debate, and to vote on all subjects; and, whenever the Senate shall be equally divided, he shall give the casting vote.

Section 22. The Governor shall, at stated times, receive for his services a compensation, which shall neither be increased nor diminished, during the term for which he shall have been elected.

Section 23. The Lieutenant Governor, while he shall act as President of the Senate, shall receive, for his services, the same compensation as the Speaker of the House of Representatives; and any person, acting as Governor, shall receive the compensation attached to the office of Governor.

Section 24. Neither the Governor nor Lieutenant Governor shall be eligible to any other office, during the term for which he shall have been elected.

ARTICLE 6.

Administrative.

Section 1. There shall be elected, by the voters of the state, a Secretary, an Auditor and a Treasurer of State, who shall, severally, hold their offices for four years. They shall perform such duties as may be enjoined by law; and no person shall be eligible to either of said offices, more than eight years in any period of twelve years.

(History: As Amended November 3, 1970).

Section 2. There shall be elected, in each county by the voters thereof, at the time of holding general elections, a Clerk of the Circuit Court, Auditor, Recorder, Treasurer, Sheriff, Coroner, and Surveyor, who shall, severally, hold their offices for four years; and no person shall be eligible to the office of Clerk, Auditor, Recorder, Treasurer, Sheriff, or Coroner more than eight years in any period of twelve years.

(History: As Amended November 4, 1952; November 6, 1984).

Section 3. Such other county and township officers as may be necessary, shall be elected, or appointed, in such manner as may be prescribed by law.

Section 4. No person shall be elected, or appointed, as a county officer, who is not an elector of the county and who has not been an inhabitant of the county one year next preceding his election or appointment.

(History: As Amended November 6, 1984).

Section 5. (a) The Governor, and the Secretary, Auditor, and Treasurer of State, shall severally keep the public records, books, and papers, in any manner relating to their respective offices, at the seat of government.

(b) The Governor shall reside at the seat of government.

(History: As Amended November 3, 1998).

Section 6. All county, township, and town officers, shall reside within their respective counties, townships, and towns; and shall keep their respective offices at such places therein, and perform such duties, as may be directed by law.

Section 7. All State officers shall, for crime, incapacity, or negligence, be liable to be removed from office, either by impeachment by the House of Representatives, to be tried by the Senate, or by a joint resolution of the General Assembly; two-thirds of the members elected to each branch voting, in either case, therefor.

Section 8. All State, county, township, and town officers, may be impeached, or removed from office, in such manner as may be prescribed by law.

Section 9. Vacancies in county, township, and town offices, shall be filled in such manner as may be prescribed by law.

Section 10. The General Assembly may confer upon the boards doing county business in the several counties, powers of a local, administrative character.

Section 11.

(Repealed November 6, 1984).

ARTICLE 7.

Judicial.

Section 1. Judicial Power. The judicial power of the State shall be vested in one Supreme Court, one Court of Appeals, Circuit Courts, and such other courts as the General Assembly may establish.

(History: As Amended March 14, 1881; November 3, 1970).

Section 2. Supreme Court. The Supreme Court shall consist of the Chief Justice of the State and not less than four nor more than eight associate justices; a majority of whom shall form a quorum. The court may appoint such personnel as may be necessary.

(History: As Amended November 3, 1970).

Section 3. Chief Justice. The Chief Justice of the State shall be selected by the judicial nominating commission from the members of the Supreme Court and he shall retain that office for a period of five years, subject to reappointment in the same manner, except that a member of the Court may resign the office of Chief Justice without resigning from the Court. During a vacancy in the office of Chief Justice caused by absence, illness, incapacity or resignation all powers and duties of that office shall devolve upon the member of the Supreme Court who is senior in length of service and if equal in length of service the determination shall be by lot until such time as the cause of the vacancy is terminated or the vacancy is filled.

The Chief Justice of the State shall appoint such persons as the General Assembly by law may provide for the administration of his office. The Chief Justice shall have prepared and submit to the General Assembly regular reports on the condition of the courts and such other reports as may be requested.

(History: As Amended November 3, 1970).

Section 4. The Supreme Court shall have no original jurisdiction except in admission to the practice of law; discipline or disbarment of those admitted; the unauthorized practice of law; discipline, removal and retirement of justices and judges; supervision of the exercise of jurisdiction by the other courts of the State; and issuance of writs necessary or appropriate in aid of its jurisdiction. The Supreme Court shall exercise appellate jurisdiction under such terms and conditions as specified by rules except that appeals from a judgment imposing a sentence of death, life imprisonment or imprisonment for a term greater than fifty years shall be taken directly to the Supreme Court. The Supreme Court shall have, in all appeals of criminal cases, the power to review all questions of law and to review and revise the sentence imposed.

(History: As Amended November 3, 1970; November 8, 1988).

Section 5. Court of Appeals. The Court of Appeals shall consist of as many geographic districts and sit at such locations as the General Assembly shall determine to be necessary. Each geographic district of the Court shall consist of three judges. The judges of each geographic district shall appoint such personnel as the General Assembly may provide by law.

(History: As Amended November 3, 1970).

Section 6. Jurisdiction of Court of Appeals. The Court shall have no original jurisdiction, except that it may be authorized by rules of the Supreme Court to review directly decisions of administrative agencies. In all other cases, it shall exercise appellate jurisdiction under such terms and conditions as the Supreme Court shall specify by rules which shall, however, provide in all cases an absolute right to one appeal and to the extent provided by rule, review and revision of sentences for defendants in all criminal cases.

(History: As Amended November 3, 1970).

Section 7. Judicial Circuits. The State shall, from time to time, be divided into judicial circuits; and a Judge for each circuit shall be elected by the voters thereof. He shall reside within the circuit and shall have been duly admitted to practice law by the Supreme Court of Indiana; he shall hold his office for the term of six years, if he so long behaves well.

(History: As Amended November 3, 1970).

Section 8. Circuit Courts. The Circuit Courts shall have such civil and criminal jurisdiction as may be prescribed by law.

(History: As Amended November 3, 1970).

Section 9. Judicial Nominating Commission. There shall be one judicial nominating commission for the Supreme Court and Court of Appeals. This commission shall, in addition, be the commission on judicial qualifications for the Supreme Court and Court of Appeals.

The judicial nominating commission shall consist of seven members, a majority of whom shall form a quorum, one of whom shall be the Chief Justice of the State or a Justice of the Supreme Court whom he may designate, who shall act as chairman. Those admitted to the practice of law shall elect three of their number to serve as members of said commission. All elections shall be in such manner as the General Assembly may provide. The Governor shall appoint to the commission three citizens, not admitted to the practice of law. The terms of office and compensation for members of a judicial nominating commission shall be fixed by the General Assembly. No member of a judicial nominating commission other than the Chief Justice or his designee shall hold any other salaried public office. No member shall hold an office in a political party or organization. No member of the judicial nominating commission shall be eligible for appointment to a judicial office so long as he is a member of the commission and for a period of three years thereafter.

(History: As Amended November 8, 1960; November 3, 1970).

Section 10. Selection of Justices of the Supreme Court and Judges of the Court of Appeals. A vacancy in a judicial office in the Supreme Court or Court of Appeals shall be filled by the Governor, without regard to political affiliation, from a list of three nominees presented to him by the judicial nominating commission. If the Governor shall fail to make an appointment from the list within sixty days from the day it is presented to him, the appointment shall be made by the Chief Justice or the acting Chief Justice from the same list.

To be eligible for nomination as a justice of the Supreme Court or Judge of the Court of Appeals, a person must be domiciled within the geographic district, a citizen of the United States, admitted to the practice of law in the courts of the State for a period of not less than ten (10) years or must have served as a judge of a circuit, superior or criminal court of the State of Indiana for a period of not less than five (5) years.

(History: As Amended November 3, 1970).

Section 11. Tenure of Justices of Supreme Court and Judges of the Court of Appeals. A justice of the Supreme Court or Judge of the Court of Appeals shall serve until the next general election following the expiration of two years from the date of appointment, and subject to approval or

rejection by the electorate, shall continue to serve for terms of ten years, so long as he retains his office. In the case of a justice of the Supreme Court, the electorate of the entire state shall vote on the question of approval or rejection. In the case of judges of the Court of Appeals the electorate of the geographic district in which he serves shall vote on the question of approval or rejection.

Every such justice and judge shall retire at the age specified by statute in effect at the commencement of his current term.

Every such justice or judge is disqualified from acting as a judicial officer, without loss of salary, while there is pending (1) an indictment or information charging him in any court in the United States with a crime punishable as a felony under the laws of Indiana or the United States, or (2) a recommendation to the Supreme Court by the commission on judicial qualifications for his removal or retirement.

On recommendation of the commission on judicial qualifications or on its own motion, the Supreme Court may suspend such justice or judge from office without salary when in any court in the United States he pleads guilty or no contest or is found guilty of a crime punishable as a felony under the laws of Indiana or the United States, or of any other crime that involves moral turpitude under that law. If his conviction is reversed, suspension terminates and he shall be paid his salary for the period of suspension. If he is suspended and his conviction becomes final the Supreme Court shall remove him from office.

On recommendation of the commission on judicial qualifications the Supreme Court may (1) retire such justice or judge for disability that seriously interferes with the performance of his duties and is or is likely to become permanent, and (2) censure or remove such justice or judge, for action occurring not more than six years prior to the commencement of his current term, when such action constitutes willful misconduct in office, willful and persistent failure to perform his duties, habitual intemperance, or conduct prejudicial to the administration of justice that brings the judicial office into disrepute.

A justice or judge so retired by the Supreme Court shall be considered to have retired voluntarily. A justice or judge so removed by the Supreme Court is ineligible for judicial office and pending further order of the Court he is suspended from practicing law in this State.

Upon receipt by the Supreme Court of any such recommendation, the Court shall hold a hearing, at which such justice or judge is entitled to be present, and make such determinations as shall be required. No justice shall participate in the determination of such hearing when it concerns himself.

The Supreme Court shall make rules implementing this section and provide for convening of hearings. Hearings and proceedings shall be public upon request of the justice or judge whom it concerns.

No such justice or judge shall, during his term of office, engage in the practice of law, run for elective office other than a judicial office, directly or indirectly make any contribution to, or hold any office in, a political party or organization or take part in any political campaign.
(History: As Amended November 4, 1952; November 3, 1970).

Section 12. Substitution of Judges. The General Assembly may provide, by law, that the Judge of one circuit may hold the Courts of another circuit, in cases of necessity or convenience; and in case of temporary inability of any Judge, from sickness or other cause, to hold the Courts in his circuit, provision may be made, by law, for holding such courts.
(History: As Amended November 3, 1970).

Section 13. Removal of Circuit Court Judges and Prosecuting Attorneys. Any Judge of the Circuit Court or Prosecuting Attorney, who shall have been convicted of corruption or other high crime, may, on information in the name of the State, be removed from office by the Supreme Court, or in such other manner as may be prescribed by law.
(History: As Amended November 3, 1970).

Section 14.
(Repealed November 6, 1984).

Section 15. No Limitation on Term of Office. The provisions of Article 15, Section 2, prohibiting terms of office longer than four years, shall not apply to justices and judges.
(History: As Amended November 3, 1970).

Section 16. Prosecuting Attorneys. There shall be elected in each judicial circuit by the voters thereof a prosecuting attorney, who shall have been admitted to the practice of law in this State before his election, who shall hold his office for four years, and whose term of office shall begin on the first day of January next succeeding his election. The election of prosecuting attorneys under this section shall be held at the time of holding the general election in the year 1974 and each four years thereafter.
(History: As Amended November 3, 1970).

Section 17. Grand Jury. The General Assembly may modify, or abolish, the grand jury system.
(History: As Amended November 3, 1970).

Section 18. Criminal Prosecutions. All criminal prosecutions shall be carried on in the name, and by the authority of the state; and the style of all process shall be: "The State of Indiana."
(History: As Amended November 3, 1970).

Section 19. Pay. The Justices of Supreme Court and Judges of the Court of Appeals and of the Circuit Courts shall at stated times receive a compensation which shall not be diminished during their continuance in office.
(History: As Amended November 3, 1970).

Section 20.
(History: Repealed November 6, 1984. The schedule adopted with the November 3, 1970, amendment to Article 7 was stricken out by the November 6, 1984, amendment).

Section 21.
(History: Repealed November 8, 1932).

ARTICLE 8.

Education.

Section 1. Knowledge and learning, generally diffused throughout a community, being essential to the preservation of a free government; it shall be the duty of the General Assembly to encourage, by all suitable means, moral, intellectual, scientific, and agricultural improvement; and to provide, by law, for a general and uniform system of Common Schools, wherein tuition shall be without charge, and equally open to all.

Section 2. The Common School fund shall consist of the Congressional Township fund, and the lands belonging thereto;

The Surplus Revenue fund;

The Saline fund and the lands belonging thereto;

The Bank Tax fund, and the fund arising from the one hundred and fourteenth section of the charter of the State Bank of Indiana;

The fund to be derived from the sale of County Seminaries, and the moneys and property heretofore held for such Seminaries; from the fines assessed for breaches of the penal laws of the State; and from all forfeitures which may accrue;

All lands and other estate which shall escheat to the State, for want of heirs or kindred entitled to the inheritance;

All lands that have been, or may hereafter be, granted to the State, where no special purpose is expressed in the grant, and the proceeds of the sales thereof; including the proceeds of the sales of the Swamp Lands, granted to the State of Indiana by the act of Congress of the twenty eighth of September, eighteen hundred and fifty, after deducting the expense of selecting and draining the same;

Taxes on the property of corporations, that may be assessed by the General Assembly for common school purposes.

Section 3. The principal of the Common School fund shall remain a perpetual fund, which may be increased, but shall never be diminished; and the income thereof shall be inviolably appropriated to the support of Common Schools, and to no other purpose whatever.

Section 4. The General Assembly shall invest, in some safe and profitable manner, all such portions of the Common School fund, as have not heretofore been entrusted to the several counties; and shall make provision, by law, for the distribution, among the several counties, of the interest thereof.

Section 5. If any county shall fail to demand its proportion of such interest, for Common School purposes, the same shall be reinvested, for the benefit of such county.

Section 6. The several counties shall be held liable for the preservation of so much of the said fund as may be entrusted to them, and for the payment of the annual interest thereon.

Section 7. All trust funds, held by the State, shall remain inviolate, and be faithfully and exclusively applied to the purposes for which the trust was created.

Section 8. There shall be a State Superintendent of Public Instruction, whose method of selection, tenure, duties and compensation shall be prescribed by law.

(History: As Amended November 7, 1972. The schedule adopted with the 1972 amendment to Article 8, Section 8 was stricken out by the November 6, 1984, amendment).

ARTICLE 9.

State Institutions.

Section 1. It shall be the duty of the General Assembly to provide, by law, for the support of institutions for the education of the deaf, the mute, and the blind; and for the treatment of the insane.

(History: As Amended November 6, 1984).

Section 2. The General Assembly shall provide institutions for the correction and reformation of juvenile offenders.

(History: As Amended November 6, 1984).

Section 3. The counties may provide farms, as an asylum for those persons who, by reason of age, infirmity, or other misfortune, have claims upon the sympathies and aid of society.

(History: As Amended November 6, 1984).

ARTICLE 10.

Finance.

Section 1. (a) The General Assembly shall provide, by law, for a uniform and equal rate of property assessment and taxation and shall prescribe regulations to secure a just valuation for taxation of all property, both real and personal. The General Assembly may exempt from property taxation any property in any of the following classes:

(1) Property being used for municipal, educational, literary, scientific, religious or charitable purposes;

(2) Tangible personal property other than property being held for sale in the ordinary course of a trade or business, property being held, used or consumed in connection with the production of income, or property being held as an investment;

(3) Intangible personal property.

(b) The General Assembly may exempt any motor vehicles, mobile homes, airplanes, boats, trailers or similar property, provided that an excise tax in lieu of the property tax is substituted therefor.

(History: As Amended November 8, 1966).

Section 2. All the revenues derived from the sale of any of the public works belonging to the State, and from the net annual income thereof, and any surplus that may, at any time, remain in the Treasury, derived from taxation for general State purposes, after the payment of the ordinary expenses of the government, and of the interest on bonds of the State, other than Bank bonds; shall be annually applied, under the direction of the General Assembly, to the payment of the principal of the Public Debt.

Section 3. No money shall be drawn from the Treasury, but in pursuance of appropriations made by law.

Section 4. An accurate statement of the receipts and expenditures of the public money, shall be published with the laws of each regular session of the General Assembly.

Section 5. No law shall authorize any debt to be contracted, on behalf of the State, except in the following cases: to meet casual deficits in the revenue; to pay the interest on the State Debt; to repel invasion, suppress insurrection, or, if hostilities be threatened, provide for the public defense.

Section 6. No county shall subscribe for stock in any incorporated company, unless the same be paid for at the time of such subscription; nor shall any county loan its credit to any incorporated company, nor borrow money for the purpose of taking stock in any such company; nor shall the General Assembly ever, on behalf of the State, assume the debts of any county, city, town, or township; nor of any corporation whatever.

Section 7. No law or resolution shall ever be passed by the General Assembly of the State of Indiana, that shall recognize any liability of this State to pay or redeem any certificate of stock issued in pursuance of an act entitled "An Act to provide for the funded debt of the State of Indiana, and for the completion of the Wabash and Erie Canal to Evansville," passed January 19th, 1846; and an act supplemental to said act, passed January 29th, 1847, which, by the provisions of the said acts, or either of them, shall be payable exclusively from the proceeds of the canal lands, and the tolls and revenues of the canal, in said acts mentioned, and no such certificates or stocks shall ever be paid by this State.

(History: Added February 18, 1873).

Section 8. The general assembly may levy and collect a tax upon income, from whatever source derived, at such rates, in such manner, and with such exemptions as may be prescribed by law.

(History: Added November 8, 1932).

ARTICLE 11.

Corporations.

Section 1. The General Assembly shall not have power to establish, or incorporate, any bank or banking company, or moneyed institution, for the purpose of issuing bills of credit, or bills payable to order or bearer, except under the conditions prescribed in this Constitution.

Section 2. No banks shall be established otherwise than under a general banking law, except as provided in the fourth section of this article.

Section 3. If the General Assembly shall enact a general banking law, such law shall provide for the registry and countersigning, by an officer of State, of all paper credit designed to be circulated as money; and ample collateral security, readily convertible into specie, for the redemption of the same in gold or silver, shall be required; which collateral security shall be under the control of the proper officer or officers of State.

Section 4. The General Assembly may also charter a bank with branches, without collateral security as required in the preceding section.

Section 5. If the General Assembly shall establish a bank with branches, the branches shall be mutually responsible for each other's liabilities upon all paper credit issued as money.

Section 6.

(History: Repealed November 5, 1940).

Section 7. All bills or notes issued as money shall be, at all times, redeemable in gold or silver; and no law shall be passed, sanctioning, directly or indirectly, the suspension, by any bank or banking company, of specie payments.

Section 8. Holders of bank notes shall be entitled, in case of insolvency, to preference of payment over all other creditors.

Section 9. No bank shall receive, directly or indirectly, a greater rate of interest than shall be allowed, by law, to individuals loaning money.

Section 10.

(History: Repealed November 5, 1940).

Section 11. The General Assembly is not prohibited from investing the Trust Funds in a bank with branches; but in case of such investment, the safety of the same shall be guaranteed by unquestionable security.

Section 12. The State shall not be a stockholder in any bank; nor shall the credit of the State ever be given, or loaned, in aid of any person, association or corporation; nor shall the State become a stockholder in any corporation or association. However, the General Assembly may by law, with limitations and regulations, provide that prohibitions in this section do not apply to a public employee retirement fund.

(History: As Amended November 5, 1996).

Section 13. Corporations, other than banking, shall not be created by special act, but may be formed under general laws.

Section 14. Dues from corporations shall be secured by such individual liability of the stockholders, or other means, as may be prescribed by law.

(History: As Amended November 5, 1940).

ARTICLE 12.

Militia.

Section 1. A militia shall be provided and shall consist of all persons over the age of seventeen (17) years, except those persons who may be exempted by the laws of the United States or of this state. The militia may be divided into active and inactive classes and consist of such military organizations as may be provided by law.

(History: As Amended November 3, 1936; November 5, 1974).

Section 2. The Governor is Commander-in-Chief of the militia and other military forces of this state.

(History: As Amended November 5, 1974).

Section 3. There shall be an Adjutant General, who shall be appointed by the Governor.

(History: As Amended November 5, 1974).

Section 4. No person, conscientiously opposed to bearing arms, shall be compelled to do so in the militia.

(History: As Amended November 5, 1974).

Section 5.

(History: Repealed November 5, 1974).

Section 6.

(History: Repealed November 5, 1974).

ARTICLE 13.

Indebtedness.

Section 1. No political or municipal corporation in this State shall ever become indebted, in any manner or for any purpose to an amount, in the aggregate, exceeding two per centum on the value of the taxable property within such corporation, to be ascertained by the last assessment for State and county taxes, previous to the incurring of such indebtedness; and all bonds or obligations, in excess of such amount, given by such corporations, shall be void: *Provided*, That in time of war, foreign invasion, or other great public calamity, on petition of a majority of the property owners in number and value, within the limits of such corporation, the public authorities, in their discretion, may incur obligations necessary for the public protection and defense to such amount as may be requested in such petition.

(History: As Amended March 14, 1881).

Section 2.

(History: Repealed March 14, 1881).

Section 3.

(History: Repealed March 14, 1881).

Section 4.

(History: Repealed March 14, 1881).

ARTICLE 14.

Boundaries.

Section 1. In order that the boundaries of the State may be known and established, it is hereby ordained and declared, that the State of Indiana is bounded, on the East, by the meridian line, which forms the western boundary of the State of Ohio; on the South, by the Ohio river, from the mouth of the Great Miami river to the mouth of the Wabash river; on the West, by a line drawn along the middle of the Wabash river, from its mouth to a point where a due north line, drawn from the town of Vincennes, would last touch the north-western shore of said Wabash river; and, thence, by a due north line, until the same shall intersect an east and west line, drawn through a point ten miles north of the southern extreme of Lake Michigan; on the North, by said east and west line, until the same shall intersect the first mentioned meridian line, which forms the western boundary of the State of Ohio.

Section 2. The State of Indiana shall possess jurisdiction and sovereignty co-extensive with the boundaries declared in the preceding section; and shall have concurrent jurisdiction, in civil and criminal cases, with the State of Kentucky on the Ohio river, and with the State of Illinois on the Wabash river, so far as said rivers form the common boundary between this State and said States respectively.

ARTICLE 15.

Miscellaneous.

Section 1. All officers, whose appointment is not otherwise provided for in this Constitution, shall be chosen in such manner as now is, or hereafter may be, prescribed by law.

Section 2. When the duration of any office is not provided for by this Constitution, it may be declared by law; and, if not so declared, such office shall be held during the pleasure of the authority making the appointment. But the General Assembly shall not create any office, the tenure of which shall be longer than four years.

Section 3. Whenever it is provided in this Constitution, or in any law which may be hereafter passed, that any officer, other than a member of the General Assembly, shall hold his office for any given term, the same shall be construed to mean, that such officer shall hold his office for such term, and until his successor shall have been elected and qualified.

Section 4. Every person elected or appointed to any office under this Constitution, shall, before entering on the duties thereof, take an oath or affirmation, to support the Constitution of this State, and of the United States, and also an oath of office.

Section 5. There shall be a Seal of State, kept by the Governor for official purposes, which shall be called the Seal of the State of Indiana.

Section 6. All commissions shall issue in the name of the State, shall be signed by the Governor, sealed with the State Seal, and attested by the Secretary of State.

Section 7. No county shall be reduced to an area less than four hundred square miles; nor shall any county, under that area, be further reduced.

Section 8.

(History: Repealed November 8, 1988).

Section 9. The following grounds owned by the State in Indianapolis, namely: the State House Square, the Governor's Circle, and so much of out-lot numbered one hundred and forty-seven, as lies north of the arm of the Central Canal, shall not be sold or leased.

Section 10. It shall be the duty of the General Assembly, to provide for the permanent enclosure and preservation of the Tippecanoe Battle Ground.

ARTICLE 16.

Amendments.

Section 1. (a) An amendment to this Constitution may be proposed in either branch of the General Assembly. If the amendment is agreed to by a majority of the members elected to each of the two houses, the proposed amendment shall, with the yeas and nays thereon, be entered on their journals, and referred to the General Assembly to be chosen at the next general election.

(b) If, in the General Assembly so next chosen, the proposed amendment is agreed to by a majority of all the members elected to each House, then the General Assembly shall submit the amendment to the electors of the State at the next general election.

(c) If a majority of the electors voting on the amendment ratify the amendment, the amendment becomes a part of this Constitution.

(History: As Amended November 3, 1998).

Section 2. If two or more amendments shall be submitted at the same time, they shall be submitted in such manner that the electors shall vote for or against each of such amendments separately.

(History: As Amended November 8, 1966).

SCHEDULE

Whenever a portion of the citizens of the counties of Perry and Spencer, shall deem it expedient to form, of the contiguous territory of said counties, a new County, it shall be the duty of those interested in the organization of such new county, to lay off the same, by proper metes and bounds, of equal portions as nearly as practicable, not to exceed one-third of the territory of each of said counties. The proposal to create such new county shall be submitted to the voters of said counties, at a general election, in such manner as shall be prescribed by law. And if a majority of all the votes given at said election, shall be in favor of the organization of said new county, it shall be the duty of the General Assembly to organize the same, out of the territory thus designated.

The General Assembly may alter or amend the charter of Clarksville, and make such regulations as may be necessary for carrying into effect the objects contemplated in granting the same; and the funds belonging to said town shall be applied, according to the intention of the grantor.
(History: As Amended November 6, 1984).

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